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Chairman: Mrs. Londoño (Vice-Chairperson) (Colombia)

Contents

Agenda item 112 : Report of the United Nations High Commissioner for Refugees, Questions relating to Refugees, Returnees and Displaced Persons and Humanitarian Questions

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In the absence of Mr. Belinga-Eboutou (Cameroon), Ms. Londoño (Colombia), Vice-Chairperson, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 112: Report of the United Nations High Commissioner for Refugees: Questions relating to Refugees, Returnees and Displaced Persons and Humanitarian Questions (A/58.3, A/58/12 (Suppl.1), A/58/12/Add.1 (Suppl.1), A/58/281, A/58/299, A/58/353, A/58/410 and A/58/415-S/2003/952)

1. **Mr. Lubbers** (United Nations High Commissioner for Refugees) introduced his report on "Strengthening the Capacity of the Office of the High Commissioner for Refugees to Carry Out its Mandate" (A/58/410), which contained the conclusions of the "UNHCR 2004" exercise and, in its final version, reflected the views of the Secretary-General and relevant bodies within the United Nations system, as well as of the Executive Committee of UNHCR.

2. The High Commissioner then proceeded to highlight some of the key elements in the report, starting with the governance structure of UNHCR. The time limitation on UNHCR's mandate was anachronistic, and the proposal to remove it appearing in General Assembly resolution 57/186 should be seen as a way of strengthening the management of global challenges relating to all categories of persons of concern to his Office. The removal of the time limitation would also translate into a stronger commitment on the part of States and would make durable solutions easier to find. The convening of regular ministerial meetings of States parties to the 1951 Convention on the Status of Refugees and/or its 1967 Protocol was also aimed at strengthening UNHCR's multilateral character. Similarly, the proposal to streamline the reporting requirements was aimed at enabling his Office to bring refugee issues before ECOSOC and the General Assembly in a more meaningful manner.

3. The primary function of UNHCR was to provide protection, assistance and durable solutions for refugees. However, UNHCR activities often included programmes to assist other categories of people whose lives had been affected by violence and persecution, such as returnees, asylum seekers, stateless persons and internally displaced persons. In many of today's conflicts there were more people fleeing to places within their own country than across international borders. While primary responsibility for ensuring their protection lay with national and local authorities, in many cases – especially where there was a vacuum of authority - other agencies, including UNHCR, had an important role to play. As stated in the report, the General Assembly had, over the past decades, often encouraged UNHCR's involvement in internal displacement situations.

4. His Office supported the collaborative approach to addressing the needs of the internally displaced and the special role of the Emergency Relief Coordinator. That approach should, however, be strengthened to ensure more rapid agreement on inter-agency division of labour, better planning, faster operational deployment and improved funding.

5. UNHCR would continue to work closely with the Emergency Relief Coordinator on ways of ensuring adequate and timely United Nations responses to internal displacement situations. In that connection, he drew attention to the relevant comments contained in the report.

6. The search for durable solutions had to become more systematic and to begin at the outset of each new refugee crisis. With that in mind, UNHCR had developed a Framework for Durable Solutions, whose main elements were the promotion of development assistance for refugees (DAR), repatriation, reintegration, rehabilitation and reconstruction (the "4Rs"), and development through local integration (DLI). Those initiatives had already led to concrete projects in Afghanistan, Eritrea, Sierra Leone, Sri Lanka and Zambia.

7. One of the indirect outcomes of the Global Consultations on International Protection had been the adoption of the "Convention Plus" initiative in 2002, designed to strengthen and complement the 1951 Refugee Convention and its 1967 Protocol through the development of multilateral special agreements aimed at enhancing burden-sharing and sharpening the focus on durable solutions.

8. Given the important interconnections between peace and security, humanitarian action, human rights

and development policies, UNHCR clearly needed to create stronger linkages both within and outside the United Nations system. As stated in the report, it was vital for UNHCR to enhance its interaction with the Office of the Secretary-General, the General Assembly, ECOSOC and the Security Council. His Office also needed to strengthen its engagement with the peace and security pillars of the United Nations, in particular the Departments of Political Affairs and Peace-Keeping Operations, since refugee movements often had an impact on regional stability and the success of repatriation operations could also have an impact on the peace process. The Office of the Coordinator for Humanitarian Affairs (OCHA) also had a key coordination role to play, and he looked forward to working closely with the new United Nations Emergency Relief Coordinator.

9. UNHCR also needed to strengthen its cooperation with development actors in order to ensure the inclusion of refugees and returnees in the development agenda. It had recently joined the United Nations Development Group, and it was to be hoped that the new partnership would help in finding durable solutions for refugees and other persons of concern to his Office.

10. Stressing again the nexus between asylum and migration, and briefly recalling the factors necessitating concerted action in that area, he said that his Office would continue to strengthen its links with the International Organization for Migration and its relations with NGO partners.

11. Turning to the question of funding, he pointed out once more than the existing approach still reflected the reality of the 1950s, when UNHCR had been faced with a specific refugee problem in Europe and when its mission had been supposed to be time-limited. As proposed in the report, while UNHCR funding would continue to be based on voluntary contributions, that basis should be broadened and its sources diversified, in particular through the private sector. He was also proposing a 30 per cent Base Level model for those States that wished to apply it. While appreciating the generosity of countries that continued to host large refugee populations, and grateful as he was to the main cash donors, it was clear that the present situation in which only eight donors were providing over 80% of funds ran contrary to the aim of strengthening the multilateral character of his Office. He also referred to the last measure proposed in the report, which concerned an incremental increase in UNHCR's share of the United Nations regular budget.

12. The key issue of the increased danger to which humanitarian personnel were exposed had been given renewed focus as a result of the attack on the United Nations office in Baghdad, the attack on the ICRC office in that city and numerous other attacks during the past year, not only in Iraq but also in Afghanistan and elsewhere. The report of the Independent Panel on the Safety and Security of United Nations Personnel in Iraq showed that security procedures needed to be strengthened, which implied not only measures being taken by UNSECOORD but also having staff in the field that were well-trained and able to communicate effectively with local interlocutors with a view to enhancing understanding of the humanitarian principles guiding their work. It should not be forgotten that the ultimate aim was not only to tighten up security rules but also to improve the political environment in which UNHCR staff had to work.

13. UNHCR action in Iraq was only possible if it was carried on together with the Iraqi people and local authorities. Priority was therefore being given to strengthening the capacities of Iraqi authorities and especially to supporting the work of the newly appointed Iraqi Minister for Displacement and Migration.

14. In conclusion, he briefly surveyed UNHCR operations in Africa and Asia and drew attention to certain encouraging facts mentioned in his report to the General Assembly (A/58/12). UNHCR would continue to be actively engaged in the Northern Caucasus, where displaced Chechens in Ingushetia had recently come under pressure to return home, and in Colombia, where the number of internally displaced persons was well over two million.

15. **Mr. Andrabi** (Pakistan), after expressing his delegation's support of the High Commissioner's efforts to rationalise the activities of his Office in particular and of the Organization in general, asked for additional information concerning the "Convention Plus" initiative. Would the multilateral agreements referred to by the High Commissioner be concluded between a few countries and UNHCR or would they have an international character, like the Convention on the Status of Refugees and the Protocol relating thereto? He also asked for further information in connection with the concept of development based on

local integration (DLI), pointing out that the countries sheltering large numbers of refugees were often developing countries whose difficulties were increased as a result of having to look after groups of people whose return to their country of origin was uncertain.

16. **Mr. Lubbers** (United Nations High Commissioner for Refugees) explained that that the object of the "Convention Plus" initiative was to develop special agreements designed to complement the commitments undertaken by States under the 1951 Convention and its 1967 Protocol, to enhance the sharing of the refugee burden and to facilitate the search for durable solutions. The Convention and the Protocol imposed obligations on States in terms of assistance to be given to refugees but failed to mention burden-sharing or the need to seek durable solutions.

17. UNHCR was therefore endeavouring to promote the conclusion of generic agreements, on the one hand, and the resettlement of refugees on the other. To that end, it was necessary to encourage States to provide their share of development assistance within the framework of durable solutions to the situation of refugees and in support of projects that could be of benefit both to refugees and to the host communities. UNCHR was, moreover, concerned by the problem of secondary movements of refugees, who, in the absence of any real hope of a durable solution, found themselves at the mercy of traffickers, often connected with criminal circles. The solution to that problem was based essentially on repatriation, resettlement or, as an intermediate solution, on local integration.

18. Generic agreements could relate to development assistance, reduction of secondary movements of refugees, or resettlement. UNHCR was looking for countries that would be genuinely willing to blaze the trail in that direction, as Denmark, Japan and Switzerland were already doing and South Africa and Canada would no doubt be doing soon.

19. Explaining the manner in which the initiative was applied to certan countries, he mentioned the example of Somali refugees, who had fled very far from their country of origin and were unlikely to return. His Office therefore had to find host countries for refugees in a special situation. Here, general solutions had to be applied to a particular case, and countries that had subscribed to a generic agreement could go further and could concretize their commitment by putting it into practice at the national level.

20. Replying to the second question raised by the representative of Pakistan, he said that refugees were not necessarily a burden upon host countries; far from confining itself to providing food, shelter and medical care, UNHCR encouraged refugees to become self-sufficient in order to facilitate either their repatriation in due course or their resettlement. It was for the host countries to decide to what extent they wanted the refugees to become integrated, for example by allowing them to engage in agricultural activities. In many cases, assistance furnished to refugees - e.g. through the construction of a hospital or a road - also benefited the host communities. Lastly, the fact should not be overlooked that many refugees lived outside refugee camps and had become so productive that they no longer required any assistance. They were also more reluctant to return to their country of origin, and the possibility of authorizing them to settle definitively in the host country gave rise to another problem, that of the granting of that country's nationality. In that connection, he wished to make it clear that while UNHCR encouraged integration of refugees, obtaining for them the nationality of their host country did not form part of its concerns.

21. As for the Pashtuns who had fled Afghanistan to take refuge in Pakistan, many of them had been settled in that country for three generations, sometimes holding important and even governmental posts, and were extremely hesitant to return to their country of origin. Such refugees did not represent a burden but, rather, a contribution to the host country's economy.

22. The situation in Tanzania also deserved mention. The Tanzanian Government felt that Rwandan and Burundi refugees should be repatriated, and UNHCR was doing what it could to comply with that wish. But refugees could not be obliged to return to a country where violence reigned, as was the case in Somalia.

23. In conclusion, he said that activities aimed at encouraging self-sufficiency of refugees had a positive impact on host countries and communities. It was up to Governments to ensure that refugees were not a burden but became productive and contributed to the economy.

24. **Ms. Fusano** (Japan) said that her Government appreciated the primary role of UNHCR in assisting refugees. She agreed with the High Commissioner that the principle of development assistance for refugees was of great importance inasmuch as it made it

possible to envisage durable solutions. The approach must now be concretized on the ground.

25. It was to be hoped that the integration efforts undertaken in Angola, towards which Japan had recently contributed, would facilitate the realization of one of the key concepts of development assistance for refugees, namely the programme known as "4 Rs" – repatriation, reintegration, rehabilitation and reconstruction. Full account should also be taken of the concept of human security in the execution of projects.

26. The integration approach called for close collaboration between humanitarian organizations and development agencies. She wished to know what level of effectiveness that collaboration had achieved since UNHCR had become a member of the United Nations Development Group and whether that institutional arrangement was sufficient to guarantee effective collaboration between the institutions concerned.

27. **Mr. Simancas** (Mexico) welcomed the High Commissioner's reference to the unwarranted connections that some persons motivated by hate, racism or political or electoral considerations, established between asylum seekers, migrants, delinquents and even terrorists, and regretted that the report did not mention that point.

28. He agreed with the High Commissioner that emphasis should be placed on collaboration and coordination between bodies concerned with immigration and refugee problems, particularly in order to avoid duplication of effort and overlapping of spheres of competence.

29. **Mr. Knyazhinskiy** (Russian Federation) said that he would like to know more about the criteria for UNHCR intervention. Did the High Commissioner take into account political sensibilities and the principle of State sovereignty? While it could happen that, in certain States, a political vacuum might lead the international community to intervene in order to assist displaced persons, such cases were rare. Most States possessed sufficient authority to stand up to such situations. Any intervention by UNHCR should be subject to approval by the State concerned and by the United Nations. He was raising the question because the High Commissioner had mentioned the presence in Ingushetia of Chechen displaced persons wishing to return to Chechnya, a subject on which his Government had already expressed itself on several occasions. He asked for an explanation of how the High Commissioner decided in what situations he should concern himself with displaced persons and in what cases no intervention was called for.

30. **Mr. Lubbers** (United Nations High Commissioner for Refugees) said that the representative of Japan was right to pinpoint the problem of human security, which was at least as important as that of military security.

31. On a proposal by UNHCR, the United Nations Development Group had recently considered the principle of adopting clear guidelines to govern the application of durable solutions to the refugee problem. The Group had also decided to take that question into account in its work plan for 2004. The development was welcome in view of the fact that the issue had also been taken up by the working group on transitional matters set up jointly by the Executive Committee for Humanitarian Affairs and the United Nations Development Group. The working group's conclusions were due to be made public at the end of November.

32. He agreed with the representative of Mexico that the UNHCR proposals had a moral as well as a structural and a practical dimension. In the present historical context, he had thought it necessary to appeal to Governments and political leaders to adopt a reasonable attitude and to treat refugees in an equitable manner.

33. Replying to the representative of the Russian Federation, he said the UNHCR could not concern itself with all the displaced persons in the world. For example, many people were displaced as a result of natural disasters or poverty, or of a combination of different factors, as was the case in Afghanistan.

34. The criteria for UNHCR intervention were consent of the countries concerned and the United Nations and support on the part of the donor community. In the case of Chechnya, UNHCR had informed the authorities of the Russian Federation that it was prepared to return to Grozny and other areas in order to facilitate the return of Chechens by providing them with assistance and protection as part of a process of voluntary return. By re-establishing confidence, such an approach would encourage people to return, the assistance and protection aspect being merely temporary.

35. **Mr. Prica** (Bosnia and Herzegovina) said that his Government subscribed to the conclusions of the High

Commissioner's report for 2002 to the effect that the return of refugees and minorities in the Balkans had accelerated in 2001 and 2002. In 2003 the process had almost been completed. The Commission for Real Property Claims was expected to complete its work in 2004.

36. Referring to the completion of the work of the Working Group on Community Affairs mentioned in the report, he asked whether UNHCR intended to terminate its operations during the summer of 2004. In connection with the concern with durable solutions expressed in the report, he invited the High Commissioner to give further details in respect of the situation in Bosnia and Herzegovina.

37. **Mrs. Mohamed Ahmed** (Sudan) said that her Government supported the High Commissioner's task and welcomed the close links existing between them.

38. The "4 Rs" initiative was extremely useful both for countries of origin and for countries hosting refugees. While agreeing that repatriation was ultimately the best solution, her Government wondered whether UNHCR had found a solution to the question of the cessation clause. The application of that clause, which sometimes occurred too quickly, had considerably affected the situation of many Sudanese returnees, who were left without UNHCR assistance although they still needed support.

39. Her Government welcomed the news of the High Commissioner's impending visit to Sudan, where he would see for himself the need for arrangements to improve the situation of refugees inside the country and of Sudanese refugees outside it. She hoped that UNHCR would pursue its task after the conclusion of the peace process, which was progressing favourably.

40. With regard to resources and funding, her Government shared the High Commissioner's concerns, as the funding of UNHCR ultimately affected national programmes. She asked whether any innovative steps had been taken to obtain funding and in support of programmes in the countries concerned.

41. **Mr. Andrabi** (Pakistan) wondered how the presentation of UNHCR reports to the General Assembly was to be rationalized. He hoped that the High Commissioner would continue to present his reports to the Third Committee and was not planning to address them directly to the General Assembly.

42. **Mr. Lubbers** (United Nations High Commissioner for Refugees) agreed with the representative of Bosnia and Herzegovina that the Government of that country and UNHCR had succeeded in doing excellent work together. While continuing to deal with certain issues still before it, UNHCR was going to reduce its presence.

43. Replying to the representative of Sudan, he said that when peace came to a country, UNHCR had to prepare itself to resort to the cessation clause at some point, failing which a perpetual relationship would come into being between it and the country concerned. In certain cases, however, such as that of the conflict between Eritrea and Ethiopia, the cessation clause was applied only gradually. He was going to Sudan in the hope of meeting peace-loving persons of good will. With regard to the question of resources, he said that emphasis should be placed on the concepts of multilateralism and sharing of responsibilities set forth in "Convention Plus". After Monterrey, everything must be done to take advantage of the possibilities offered by those principles. The international community should not think that the problem of refugees and displaced persons concerned host countries alone. The obligation was a political one and incumbent upon everyone. Unfortunately, many countries today gave preference to bilateral relations and were reluctant to adopt a multilateral approach. In "Convention Plus", UNHCR tackled that problem by proposing a solution halfway between multilateralism and bilateralism whereby a number of countries undertook concrete commitments to intervene.

44. Replying to the representative of Pakistan, he said that questions had arisen in connection with ECOSOC. UNHCR would continue to report to the Third Committee and the conclusions of the debate in that Committee would go forward to the General Assembly. What was envisaged, in fact, was to reduce the role of ECOSOC and strengthen that of the Third Committee.

45. **Mrs. Noman** (Yemen) asked what steps UNHCR was taking to provide assistance to host countries receiving HIV-positive refugees and, more generally, to deal with the problem of the HIV/AIDS epidemic.

46. **Mr. Prica** (Bosnia and Herezegovina) thanked the High Commissioner and his Office for the assistance given to his country. The interventions on behalf of refugees and displaced persons conducted on

the ground by UNHCR had been of immense importance.

47. **Mr. Lubbers** (United Nations High Commissioner for Refugees) said in reply to the question raised by the representative of Yemen that UNHCR action in that field formed part of a broader framework. In the particular case of Yemen it had been decided to undertake the registration not only of families but also of all individuals, including newborn babies.

48. As part of the medical assistance it provided in refugee camps, UNHCR had always informed refugees of health risks and ways of avoiding them. At the start of the HIV/AIDS epidemic, that experience had been used as the basis for UNHCR procedures in the matter. Studies had revealed that, unexpectedly, the incidence of HIV/AIDS was generally lower in refugee camps than among the population of the host country. The results in question had been obtained thanks to UNHCR's information and assistance policy.

49. As a result of those findings, UNHCR had contacted leading UNAIDS officials with a view to informing them of the success of its information campaigns and considering jointly with them the possibilities of helping HIV-positive persons. In doing so, his Office had accentuated the need to include refugees in all UNAIDS interventions.

50. **Mr. Mantovani** (Italy), speaking on behalf of the European Union, the 10 acceding countries, the associated countries (Bulgaria, Romania and Turkey) and Iceland (member of EFTA and the European Economic Area), noted with satisfaction that in 2002 UNHCR had continued to assist the return of refugees to Afghanistan in one of the vastest repatriation operations of the previous 30 years. He also welcomed the return of many African and Asian refugees to their countries (Angola, Burundi and Sierra Leone and Sri Lanka and Timor-Leste, respectively), as well as the role played by UNHCR in the contingency and preparedness efforts in Iraq. On the other hand, the violence in West Africa, the Great Lakes region, Colombia and the Northern Caucasus, which had generated new refugee outflows, was to be deplored.

51. The European Union agreed with the High Commissioner's emphasis on the impact on international protection of certain characteristic contemporary phenomena, viz. the close link between asylum and migration, population outflows in the event of internal or international conflicts, the heightened security concerns of States in face of the threat of terrorism, and the persistent problems of poverty and underdevelopment.

52. Both the Agenda for Protection adopted in 2002 and "Convention Plus" were useful initiatives that could assist States in protecting refugees and finding durable solutions, as well as helping UNHCR to fulfil its mandate. As regards the Agenda for Protection, the European Union welcomed the activities already undertaken by UNHCR towards its implementation. A first set of conclusions deriving from the Agenda had been endorsed at a recent meeting of the EU Executive Committee. Of particular relevance was the conclusion on protection from sexual abuse and exploitation designed to strengthen the protection of refugees, asylum seekers and other persons of concern to UNHCR, an issue that remained high on the EU agenda. It also welcomed the recent launching by UNHCR of guidelines on preventing and responding to sexual and gender-based violence, as well as the implementation of a code of conduct for its staff. As for "Convention Plus", the European Union had taken note of the Framework for Durable Solutions developed by UNHCR, which was based on three distinct and complementary tools, namely the "4 Rs" (repatriation, reintegration, rehabilitation and reconstruction), DAR (development assistance for refugees) and DLI (development through local integration), and was intended to promote self-reliance of refugees and returnees and to support the economies of the communities in which they were living. The European Union would follow with attention that process, which required the full involvement of other actors, such as Governments and development agencies.

53. It welcomed the proposals made by the High Commissioner at the recent session of the Executive Committee concerning development programmes to assist refugees and host countries, the question of secondary flows and the strategic use of resettlement, and would continue to follow with attention the developments of the "Convention Plus" initiative, especially in connection with the resettlement issue.

54. The European Union was currently examining a comprehensive approach to refugee situations. The Thessaloniki Council had invited the Commission in June 2003 to study possibilities of ensuring more orderly and managed entry to the EU countries of

persons in need of international protection and to enhance the protection capacity of regions of origin, with a view to submitting a detailed report, including proposals and taking into account legal implications, to the Council before June 2004. The European Union looked forward to close cooperation with UNHCR in that matter.

55. The European Union was building an area of freedom, security and justice. The Amsterdam Treaty and the Tampere Council of October 1999 had established a political framework for the creation of a common European asylum system based on the full and inclusive application of the Refugee Convention of 1951. During the Italian presidency, efforts would be made to finalize two important directives, thus completing the first stage of preparation of minimum norms on asylum and international protection. The High Commissioner's observations and suggestions in that connection were being considered with all due attention.

56. With regard to the asylum and migration nexus, which it regarded as a matter of particular importance, the European Union deemed that the two issues were distinct and should be treated separately in order to avoid any abuse of asylum for migratory purposes. It shared the High Commissioner's concerns in that area and agreed with him on the need to establish rapid and efficient status determination mechanisms aimed at identifying persons genuinely in need of international protection while detecting unfounded applications lodged by economic migrants.

57. Deploring the under-funding of the UNHCR budget, he reminded the Committee that the European Union was actually the largest contributor. Its member States were willing to engage in discussions on how to ensure that the funding of UNHCR became adequate, predictable and sustainable. The European Union supported the High Commissioner's efforts to attract additional resources, including from the private sector, supported the principle that a greater proportion of funds should be provided through the regular budget of the United Nations, and in the meantime encouraged UNHCR to look continually for efficiency in the use of such resources as were available.

58. Lastly, the European Union was convinced that it was essential to define clear intervention priorities and that UNHCR should continue to develop strategic partnerships with Governments, humanitarian and development agencies, and NGOs.

59. **Mr. Siv** (United States of America) said one of UNHCR's key efforts had been the facilitation of voluntary repatriation of several large and long-standing refugee populations. In Afghanistan, UNHCR had assisted the return of over two million refugees – a phenomenal feat – and had supported their reintegration in society. In Angola, an estimated 150 000 refugees had returned home since the end of the war, and UNHCR, working with IOM and its NGO partners, was making a valiant effort to return as many refugees as possible before the onset of the rainy season. Large numbers of Sierra Leonean refugees had also returned from Guinea to start new lives.

60. He hoped that Iraqi refugees, too, would be in a position to come home in the not too distant future. Encouraged by the recent unanimous support for Security Council resolution 1511, the United States looked forward to increased cooperation with the Iraqi people, the United Nations and other actors to bring stability to Iraq and allow for the eventual return of hundreds of thousands of Iraqi refugees. UNHCR had already assisted nearly 2 000 Iraqi refugees to return home. The Madrid Conference held the previous month had highlighted the need to empower Iraqis to deal with humanitarian issues under the leadership of Mr. Mohammed Al-Oteeb, the Minister of Displacement and Migration, to whom the United States would provide strong support.

61. The United States also hoped for progress in 2004 in Liberia, Burundi and Sudan and welcomed the resumption of negotiations between Bhutan and Nepal, which, it hoped, would provide durable solutions for the Bhutanese refugees.

62. For millions of other refugees, unfortunately, no lasting solutions could be expected in the short term. The United States was convinced that a multilateral approach to refugee protection and assistance was paramount, and called on other donors to provide UNHCR with the funding it needed to do the job. His country had contributed more than $ 307 million to UNHCR's 2003 programme, but despite improved support the budget remained under-funded. His delegation was pleased that UNHCR had agreed to undertake a real assessment of refugee needs for the 2005 budget, a step in the right direction that would

make it possible to identify requirements and the resources needed to meet them.

63. Protection continued to be the priority issue for the United States. Refugees were caught up in conflicts and subjected to refoulement, forced recruitment and sexual abuse. UNHCR had to have sufficient funding in order to provide adequate protection and community services in the field, set up effective registration systems and offer protection training to its staff and that of its implementing partners. His delegation welcomed the Secretary-General's recent bulletin on special measures to be taken against sexual exploitation and abuse. The efforts of UNHCR to prevent abuse and to investigate reports of abuse were also to be commended. While the number of such reports was alarming, it might be a sign of increased awareness and willingness to speak out.

64. The protection needs of refugee women and children remained a high priority for his Government, which continued to believe that having senior coordinators, rather than advisers, in the organization was the best way to ensure that those needs were mainstreamed into all UNHCR policies and programmes.

65. The commitment of the United States to resettlement was unwavering. Accordingly, his delegation welcomed the increased focus of UNHCR on that solution, which was a key protection tool for a small number of refugees.

66. Referring to "Convention Plus", he said that while there was some merit in special agreements among countries to find solutions to specific situations, there was some danger of Convention Plus turning into Convention Minus if the life-cycle of protection were not seen through. UNHCR could not abrogate its monitoring and follow-up responsibilities.

67. **Mr. Egloff** (Switzerland) said that closer cooperation between UNHCR and other United Nations agencies, in particular those concerned with development, peace and security as well as with human rights, was essential in order to find durable solutions to the refugee problem and strengthen international protection. His delegation would welcome an evaluation of the pilot projects conducted in the field in connection with the "4 Rs" approach.

68. Turning to the question of displaced persons, he said that Switzerland was in favour of inter-organization collaboration both in the field and at Headquarters, and encouraged UNHCR to strengthen its ties with the Office for the Coordination of Humanitarian Affairs and to play a more active role in the Inter-Agency Standing Committee. It was also desirable that UNHCR should strengthen its links with NGOs, which were not only active on the ground but also made a not unappreciable contribution to strategic debates.

69. While taking the view that UNHCR should have the resources it needed in order to fulfil its mandate, Switzerland would advise it to practise financial rigour in programming its operational activities and to set clearly defined priorities so as to achieve maximum transparence and efficiency in meeting the needs of refugees and displaced persons.

70. It actively supported the "Convention Plus" initiative launched by the High Commissioner with a view to strengthening international protection. Switzerland, a facilitating country with regard to secondary and irregular flows, wished to start a dialogue on the respective responsibilities of countries of origin, of transit and of destination ("Berne Initiative") based on studies of specific cases, and invited interested States to participate in the proposed discussions.

71. Referring to the nexus between asylum and migration, he invited the High Commissioner to pursue his initiatives to protect refugees and asylum seekers in the context of broader migration management and expressed support for the strategic alliance between UNHCR and the International Organization for Migration.

72. Paying tribute to UNHCR staff at Headquarters and in the field for their efforts on behalf of persons in need of protection and assistance, he expressed great concern at the deterioration of their conditions of work. He condemned the attack against the ICRC building in Baghdad and hoped that those responsible would be brought to justice.

73. **Mr. Hu Bin** (China) paid tribute to the work of UNHCR staff, some of whom had sacrificed their lives in the exercise of their duties.

74. The report of the Secretary-General (A/58/12) showed that the period under review had seen many new challenges and problems in connection with refugee protection. Massive refugee flows now came

from developing and least developed countries, and such countries were also hosts to large refugee inflows. That phenomenon had put heavy strains on the economies and societies of many African and Asian countries.

75. In view of the present situation, the international community should, in accordance with the principles of international solidarity and burden-sharing, increase their assistance to such host countries and should help them to develop their economies in the context of implementation of the Millennium Declaration Goals, so as to eliminate the refugee problem at its root.

76. His delegation took the view that voluntary repatriation should be the preferred long-term solution, especially in cases involving large numbers of refugees, but resettlement and local integration could also be considered. It supported the "4 Rs" strategy, DAR and DLI as proposed by UNHCR, and hoped that those development-based approaches would provide a fresh impetus for the resolution of long-standing refugee problems in various parts of the world.

77. It appreciated the launching of the "UNHCR 2004" process designed to find effective responses to the challenges of refugee protection through extensive consultations, supported the call for greater international attention to the refugee problem and for a strengthening of the spirit of international cooperation, and encouraged UNHCR to continue its efforts to improve internal management and efficiency. It hoped that UNHCR would always adhere to its core function of protecting refugees and the principles of humanitarianism, non-politicization and neutrality.

78. **Ms. Booto** (Democratic Republic of the Congo), speaking on behalf of the States members of the Southern African Development Community (SADC), said that although peace processes over the past two years had created opportunities for improving the lives of many returning refugees and displaced persons, the world refugee situation remained extremely worrying and in some instances had actually worsened. The vicious cycles of conflicts which were affecting millions of refugees, particularly in Africa, left little hope for durable solutions, threatened stability and hampered socio-economic development.

79. The scourge had not spared the States members of SADC, many of whom were continuing to host large number of refugees at a time when they themselves were grappling with food shortages, humanitarian problems and epidemics, particularly of malaria, tuberculosis and HIV/AIDS.

80. SADC welcomed the peace processes in Angola and the Democratic Republic of the Congo. The consolidation of peace and stability in those two countries would go a long way towards finding durable solutions to the problem of refugees in the Community. In the eastern part of the Democratic Republic of the Congo, however, access to the most vulnerable groups, particularly women and children, remained a major challenge owing to insecurity and poor infrastructures.

81. African countries, which were host to the largest number of refugees and displaced persons in the world, thus bore a humanitarian burden that put an enormous strain on their limited resources. SARC would therefore wish to see a strengthening of assistance to host countries in line with the agreed principle of burden-sharing.

82. It was imperative that the international community should continue to address the root causes of conflicts giving rise to refugee movements, which implied the elimination of the scourges of war, poverty and injustice. All State and non-State actors must abide by the purposes and principles of the Charter, apply the principles of international law and respect the sovereignty and territorial integrity of States. Support for peace-building and conflict resolution efforts was also essential in order to make sustainable the return of refugees willing to repatriate.

83. SADC considered voluntary repatriation to be the most desirable and durable solution. It welcomed the High Commissioner's report on assistance to refugees, returnees and displaced persons in Africa (A/58/353) as well as the efforts of UNHCR and other organizations in protecting and assisting unaccompanied refugee minors, who were highly vulnerable and exposed to risks such as military recruitment, forced labour, sexual exploitation and abuse. It also welcomed the Conclusion on Protection from Sexual Abuse and Exploitation adopted at the 54th session of the UNHCR Executive Committee (A/58/121/Add.1 (Suppl.)) and urged UNHCR and its implementing partners to put in place appropriate systems for the prevention of sexual and gender-based violence.

84. SADC thought it crucial that the High Commissioner should have the necessary resources in order to contribute towards sustainable solutions.

Referring to the report in document A/58/12, she noted the "4 Rs" institutional collaboration strategy bringing together humanitarian and development actors with a view to promoting sustainable return, contributing towards poverty reduction and helping to create good governance. As regards the strengthening of the capacity of UNHCR to carry out its mandate, SADC hoped, in particular, that in defining core activities and priorities the High Commissioner would take account of the difficulties of developing host countries.

85. In conclusion, she expressed the hope that in the context of NEPAD, African countries would strengthen their capacity to prevent, manage and resolve conflicts and would create the necessary conditions for political and socio-economic development, thus greatly improving the situation of refugees on the African continent.

86. **Mr. Levald** (Norway), referring to the High Commissioner's report on strengthening the capacity of UNHCR to carry out its mandate (A/58/410), stressed the usefulness of the "UNHCR 2004" exercise and welcomed the consensus practised in the Executive Committee. He also mentioned the Global Consultations on International Protection, which had resulted in the adoption of the Agenda for Protection, and the "4 Rs" approach, which he regarded as highly promising. Moreover, the "Convention Plus" proposal had already provided a significant impetus to revitalizing the search for durable solutions to refugee situations.

87. The annual report in document A/58/12 described the progress made as well as the shortcomings and challenges encountered in the refugee area. The tools available to the High Commissioner should be reexamined with a view to enabling him to respond to what he himself described as the "challenges of modernity". A significant result of "UNHCR 2004" was the reassessment of the relations between UNHCR and the rest of the United Nations system and with operational and implementing agencies. The new emphasis on better linkages with the United Nations family, improved coordination and strengthened partnerships was to be welcomed.

88. As regards the issue of finance, he noted that the operating ability of UNHCR was hindered by a funding structure ill-adapted to the worldwide responsibilities of the Office and the international community's expectations. How could the international community accept the fact that UNHCR depended on three donors to finance half of its annual budget and on twelve donors to finance about 90%? As a result, the budgets – which in no way reflected the most basic refugee needs in the first place - had to be cut year after year.

89. Unfortunately, many States seemed to feel that their responsibility ended with the adoption of the UNHCR budget, while the developing countries hosting refugees and had no choice other than continuing to provide for the refugees on their soil despite the difficulties they were facing. As stated in the report, UNHCR's mission had to be based on a spirit of solidarity, responsibility and burden-sharing and a commitment to making the Office a truly multilateral institution. The Office must therefore succeed in improving its financial basis and the predictability of its funding.

90. Under the Statute, UNHCR's administrative expenses had to be covered from the regular budget. The General Assembly must support the modest increases proposed by the Secretary-General and must draw up a multi-year plan. Failure to fulfil the requirement laid down in the Statute had direct repercussions on UNHCR and on the refugees themselves. Some progress had been achieved in expanding the donor base and obtaining contributions fom the private sector. It was now for donors whose performance so far had been low to step up their contributions.

91. The international community must increase its pressure on the States concerned, especially in protracted refugee situations, to commit themselves resolutely to overcoming the underlying political problems.

92. **Mr. Laurin** (Canada) said that significant progress had been made over the past year in resolving some protracted refugee situations. The number of signatories of the 1951 Convention and the 1967 Protocol had also increased, and major repatriation operations had taken place in Afghanistan and, to a lesser degree, in Angola and Sierra Leone. If those repatriations were to prove durable in the long term, States and United Nations agencies, including UNHCR, had to work together.

93. His delegation deplored the fact that some States had failed to respect the principle of non-refoulement, and called on all States to live up to their obligations

and to cooperate with UNHCR in providing protection to all refugees.

94. Noting with concern the dangers wo which UNHCR staff and other humanitarian workers were exposed, Canada paid tribute to the United Nations personnel who had lost their lives in seeking to provide protection and assistance to refugees and returnees. It encouraged UNHCR to review its current approach to security management and to consider taking such steps as were necessary. The High Commissioner had, as part of the "UNHCR 2004" process, held consultations with a view to better assessing how the Office's mandate, management and finding impacted on its work. That process, in which Canada actively participated, was designed to strengthen UNHCR's capacity to fulfil its mandate of protection and search for durable solutions for refugees and other persons of concern. As a result of the recognition by Member States of the need to remove the time limitation on UNHCR's mandate, the Office was now better placed to respond to evolving refugee needs and to improve its planning and programming efficiency. His delegation was also pleased to note the decision to hold periodic meetings of States parties to the 1951 Convention, which, coupled with the "Convention Plus" initiative, would surely inject new dynamism into refugee protection.

95. Another important outcome of the "UNHCR 2004" process was the emphasis on the key role played by partners in supporting the efforts of UNHCR. Cooperation with the United Nations Development Group, the Emergency Relief Coordinator, and the Departments of Political Affairs and Peacekeeping Operations was of the essence.

96. His delegation agreed with the emphasis placed by the High Commissioner on the need to see refugees as agents of development and on the importance of the DAR, "4 Rs" and DLI concepts.

97. The same emphasis on coherence and coordination must be evident in those specific situations where it was determined that UNHCR should be involved with internally displaced persons. Canada strongly supported the inter-agency collaborative effort as the most effective way of meeting the needs of such persons at the present time.

98. The "UNHCR 2004" process had also usefully focused attention on the question of adequate resources and the need for effective management. For an institution that relied so heavily on voluntary contributions, 90% of UNHCR's annual budget coming from only 12 donor countries, timely and stable funding was of the greatest importance. Canada was prepared to consider participating in the pilot project aimed at implementing the voluntary Base Level model.

99. Notwithstanding the progress made, several issues still remained outstanding. The report (A/58/12) failed to discuss the administrative and management measures that needed to be taken, and the discussion of governance and budget issues was also cut short.

100. In the past two years the High Commissioner had promoted a number of initiatives aimed at enhancing the search for durable solutions and meeting the challenges associated with managing contemporary refugee movements. The reforms aimed at strengthening the Office more effective and providing it with the necessary financial resources must now be pursued.

101. **Mr. Dall' Oglio** (Observer, International Organization for Migration) said that his organization, like the High Commissioner, felt a need to foster partnerships among concerned organizations in order to address cross-cutting migration issues within a coherent framework. Recognition of the multifaceted aspects of international migration was a precondition for the achievement of maximum complementarity.

102. International migration occupied a high place on today's international agenda, not only because of the estimated 175 million persons concerned but also because all indicators pointed to migration as a continuing structural component of contemporary socio-economic development.

103. However, not all migrants could be placed in the same category, and special attention was warranted in the case of refugees, asylum seekers and displaced persons. IOM and UNHCR were developing shared tools to better address the link between migration and asylum and to find mutually agreed responses to problems in their respective fields of competence and expertise. While national and international laws differentiated between asylum seekers, refugees and other migrants, in reality the situation was often blurred. The capacity to preserve an effective asylum regime was therefore linked with the mutual reinforcement of migration and asylum laws and practices as well as migration management in regions

of origin. The joint UNHCR-IOM Action Group on Migration and Asylum (AGAMI) had now been working on that nexus for some two years and had already produced results by setting operational standards for the joint management of return operations, particularly in countries where absorption capacities were still fragile, such as Afghanistan and Iraq. Further, in order to take into account the developmental, security, humanitarian and economic aspects of migration, an informal group composed of the executive heads of UNHCR, UNHCHR, UNODC, UNCTAD, ILO and IOM had been set up as a mechanism for direct information sharing and policy discussion on issues among organizations whose work affected or was affected by international population flows.

104. **Mr. Geleta** (Observer, International Federation of Red Cross and Red Crescent Societies) pointed out that it was not possible for Governments to assess, prevent or address vulnerability on their own, especially in the context of population movements. The Red Cross and Red Crescent Societies functioned as auxiliaries to the public authorities, and Governments had undertaken to consult them when taking decisions on issues relating to refugees, internally displaced persons and migrants. It was his organization's hope that all countries would abide by that commitment.

105. The challenge offered by the High Commissioner in his report in document A/AC.96/980 had to be taken up. The section of the report devoted to partnerships noted the important role played by the UNHCR in the development of partnerships in the humanitarian and development area as well as the role of national Red Cross and Red Crescent Societies as UNHC\R's partners in various contexts. More specifically, a framework partnership agreement specifically addressing the needs in Iraq had been concluded between the two bodies in recent months.

106. The Federation looked forward to working more closely with Governments on issues relating to population movement. The Bali process now under way in the Asia-Pacific region and the Budapest process in Europe, both mainly concerned with the issue of trafficking, provided good examples of cooperation. The Federation had also been invited to participate in Metropolis International, a group of governmental, academic and non-governmental experts working on migration issues. It looked forward to working on such issues with United Nations regional commissions, including the Economic Commission for Europe.

107. As the High Commissioner recognized, UNHCR was not well equipped on the basis of its original mandate to provide all the services needed in the present situation. The Federation looked forward to opportunities of contributing towards the search for solutions at the national, regional and global levels.

108. **Mr. Lubbers** (United Nations High Commissioner for Refugees) stressed that the role of UNHCR was to assist populations with complete impartiality. The search for durable solutions was of the greatest importance. He had reached the conclusion that UNHCR could play a well-defined role in the case of internally displaced persons. UNHCR provided refugees returning after a conflict with information about the conditions they could expect to find, and it could do the same for displaced persons.

109. A collaborative approach needed to be taken. If an entity other than UNHCR could do better, it should be given a free hand. If, on the other hand, UNHCR could do more, then it had to be informed and the appropriate financing had to be found.

110. The activities of the Federation of Red Cross and Red Crescent Societies in or near conflict areas were complementary to those of UNHCR, which was always a little slower off the mark. His Office also collaborated with the International Organization for Migrations, whose role was not restricted to assisting the victims of violence and persecution.

The meeting rose at 1.05 p.m.

United Nations A/C.3/58/SR.31

General Assembly
Fifty-eighth session

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Third Committee

Summary record of the 31st meeting
Held at Headquarters, New York, on Monday, 3 November 2003, at 3 p.m.

Chairman: Ms. Londoño (Vice-Chairman) ..... (Colombia)

Contents

Agenda item 112: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*)

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03-59308 (E)

In the absence of Mr. Belinga-Eboutou (Cameroon), Ms. Londoño (Colombia), Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

Agenda item 112: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/58/3, A/58/12 and Add.1, A/58/281, 299, 353 and 410, and A/58/415-S/2003/952)

1. **Mr. Akasha** (Sudan) said that the burden of dealing with refugees should be shared between the countries affected and the international community and expressed concern at the decline in international aid to his country, which, because of its geographical position, received large numbers of refugees. Such aid made it possible to redevelop the regions of the country affected by inflows of refugees, paying particular attention to education and health care. His Government had cooperated with the Office of the United Nations High Commissioner for Refugees (UNHCR) and with countries of origin in seeking lasting solutions to the problems of refugees in the Sudan, notably by implementing voluntary return programmes. However, Sudanese refugees in neighbouring countries, and particularly the children among them, continued to face substantial problems with regard to the enjoyment of their fundamental human rights.

2. He supported the UNHCR "4Rs" strategy, of repatriation, reintegration, rehabilitation and reconstruction, stressing that the latter two elements of the strategy were particularly important in the search for optimal solutions. The Sudan also supported the "Convention Plus" initiative of the United Nations High Commissioner for Refugees. However, he listed a number of outstanding concerns, including the decline in resources available to the UNHCR secretariat, the discriminatory treatment of some refugees, arbitrary measures taken to reduce refugee flows, the safety of United Nations staff in the field and sexual exploitation and abuse in the course of humanitarian operations.

3. **Ms. Pulido Santana** (Venezuela) said that the High Commissioner's comments on the need for greater cooperation between UNHCR and related agencies were particularly timely in the light of the worsening refugee crises around the world. There was also a need for greater cooperation between UNHCR and States, particularly the biggest donors, in order to ensure that humanitarian, political and financial efforts were channelled towards the same goal. As the forced displacement of persons was of concern not just to the States affected directly but also to the international community as a whole, efforts to make optimal use of resources needed to be harmonized and shared.

4. The politicization of discussions on asylum issues seriously jeopardized the chances of alleviating the humanitarian crisis in the countries affected. She agreed with the High Commissioner that an international political climate needed to be created that would be conducive to the implementation of the "4Rs" strategy. In order to create a solid nexus of peace, security, humanitarian action, human rights and development, responsibilities must be shared on the basis of international solidarity and reflected in international assistance. Nevertheless, it was important to remember that primary protection should continue to be the main focus of international action and that forms of international protection other than asylum, including those envisaged in the "Convention Plus" initiative, were also available to refugees.

5. She condemned the continuing attacks on humanitarian personnel and hoped that effective solutions would be found to that problem, so that United Nations and other humanitarian agencies could safely provide humanitarian aid alongside the countries of origin and host countries. Her Government had recently set up a national commission on refugees to ensure that flexible and efficient procedures were in place to guarantee the human rights of refugees in Venezuela who had been forced to leave their home country. In addition, under legislation adopted in 2001, a bilateral mechanism had been set up to make arrangements for displaced persons from Colombia to return home provided that their security could be guaranteed and there was no physical risk to them. Lastly, she stressed her Government's firm commitment to all transparent and non-discriminatory multilateral measures that contributed to the real protection of refugees' rights in a world where peace was so often in the balance.

6. **Mr. Knyazhinskiy** (Russian Federation) said that international humanitarian work, a crucial part of peacekeeping, crisis prevention and post-conflict resolution, should be carried out in strict compliance with the principles of the sovereignty and territorial integrity of States. There was a need to streamline the

transition from emergency relief to assistance for economic recovery and sustainable development. His delegation urged humanitarian organizations, including the United Nations High Commissioner for Refugees (UNHCR), to cooperate with States to combat terrorism and prevent terrorists from using humanitarian activities as a cover. They should also assist in demilitarizing camps for refugees and displaced persons and monitoring the distribution and use of humanitarian goods.

7. His Government believed that there was much room for improving the effectiveness of UNHCR and that a balanced approach should be taken to reforming that agency, particularly with respect to the 2004 process. Affirming his Government's support for the UNHCR Executive Committee, he said that the proposal to establish a world assembly on refugees required further study to take account of States' interests and available funds and to avoid politicizing the Office. UNHCR should also avoid duplicating the work done by the United Nations High Commissioner for Human Rights.

8. Expressing concern at the proposal to establish a scale of assessment for the UNHCR annual budget, his delegation affirmed its support for the current voluntary financing modalities and said that the 30 per cent base-level model should be discretionary. Recalling that regional cooperation among States and international organizations was among the most effective mechanisms to regulate migration, his delegation expressed concern that the international community had not given proper attention to the process of follow-up to the 1996 Geneva Conference on refugees and migration in the Commonwealth of Independent States and neighbouring countries. States concerned should implement the steering group's recommendation to extend that process until 2005.

9. **Mr. Aliyev** (Azerbaijan), speaking also on behalf of Georgia, the Republic of Moldova and Ukraine, said that regional conflicts had given rise to flows of refugees and internally displaced persons (IDPs) in various parts of the world, and the countries of the GUUAM Group (Georgia, Uzbekistan, Ukraine, Azerbaijan and the Republic of Moldova) had tragic first-hand experience of the increasingly complex challenges such flows could pose. Since the early 1990s, those countries had been home to the largest refugee and IDP population per capita in the world, as a result of protracted armed conflicts in parts of Azerbaijan, Georgia and the Republic of Moldova. Millions of people who had been violently expelled from their homes were looking to the Governments of those countries for justice and help, but lasting solutions to their problems depended on a resolution of the conflicts and the cost of meeting their immediate needs was so high that it significantly affected the Governments' ability to develop market-based economies. While primary responsibility for dealing with such problems lay with the State concerned, the protection of refugees and IDPs should be seen as an international responsibility.

10. An issue of great concern to the Government of Ukraine was the return of people who had been deported during the former totalitarian regime, almost a quarter of a million of whom had returned to the Crimean peninsula in Ukraine in the past decade. In addition, 23,000 people had taken advantage of a simplified procedure for obtaining Ukrainian citizenship under a bilateral agreement between Ukraine and Uzbekistan. Unfortunately, international assistance to refugees, IDPs and former deportees in the GUUAM countries was on the decline. As the conditions for their safe return were not yet in place, he called on UNHCR, all relevant agencies and donor countries to provide not only humanitarian assistance but also development assistance, to enable them to become self-reliant.

11. In that connection, he stressed the need to strike a clear-cut balance between humanitarian assistance and development activities: in the GUUAM countries, there was some concern that the transition from relief to development had been initiated prematurely and that the return of refugees and IDPs to their home countries might not be sustainable. In the case of protracted conflicts, provision should be made for the continued delivery of emergency humanitarian assistance in the early stages of transition, and development-related projects should not be carried out at the expense of such assistance. He stressed that UNHCR should continue to pay special attention to the specific needs of women and children in its programmes and to the social and economic reintegration of young refugees and IDPs in particular, with a view to enhancing their ability to provide for themselves.

12. He agreed with the conclusion in the report of the Secretary-General on strengthening the coordination of emergency humanitarian assistance of the United Nations (A/58/89-E/2003/85) that the resident

coordinator system needed to be strengthened and allowed greater flexibility in the use of its resources if it was to maintain adequate levels of capacity and support. The country teams led by the resident coordinator should be at the forefront of efforts to define coherent strategies that took into account the specific circumstances of the country concerned. UNHCR needed the backing of the international community, in both financial and political terms, if it was to be able to mitigate the effects of humanitarian crises and ensure the protection of refugees, IDPs and former deportees.

13. **Mr. Negrín** (Mexico) said that it was essential to promote sustainable solutions for refugees, including repatriation, local integration and resettlement in third countries, and the "4Rs" strategy was an appropriate framework within which to do that. The draft resolution that his delegation would be sponsoring on refugee issues would contain the High Commissioner's proposals under the so-called "UNHCR 2004" initiative, which would, among other things, help create a suitable institutional context for coordinating the work of UNHCR with that of other organizations within the United Nations system. Another of the High Commissioner's initiatives, "Convention Plus", needed to be defined more clearly: the nature, content and scope of the agreements to be negotiated in connection with the initiative should be considered by all Member States in existing UNHCR bodies, and should be designed to implement, not rewrite, the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

14. His Government, with the support of UNHCR, was strengthening its capacity to deal with refugees in Mexico and had taken steps to implement the Agenda for Protection, with the aim of improving procedures for granting asylum, protecting refugees within the wider context of migration, strengthening links with civil society, finding sustainable solutions to refugee problems and implementing a gender-sensitive approach. An example of a sustainable solution to refugee problems was Mexico's treatment of Guatemalan refugees, who were repatriated on a voluntary basis or granted Mexican nationality.

15. **Ms. Cheng-Hopkins** (World Food Programme) said that the World Food Programme and UNHCR, two of the main United Nations front-line agencies in emergency situations, had enjoyed a long-standing and fruitful collaboration, mainly because they were both cognizant of the crucial importance of the linkages between peace and security, humanitarian work and development. She strongly supported the involvement of UNHCR in common country assessments and in the United Nations Development Assistance Framework, which linked UNHCR more closely with United Nations country teams. She also supported the High Commissioner's comments on the need to strengthen the capacity of UNHCR and on the urgent need for the international community to reach some conclusion on the situation of IDPs.

The meeting rose at 4 p.m.

United Nations A/C.3/58/SR.32

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Third Committee

Summary record of the 32nd meeting
Held at Headquarters, New York, on Tuesday, 4 November 2003, at 3 p.m.

Chairman: Mr. Maertens (Vice-Chairman) ..... (Belgium)

Contents

Agenda item 110: Advancement of women (*continued*)

Agenda item 113: Promotion and protection of the rights of children (*continued*)

Agenda item 112: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*)

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03-59470 (E)

In the absence of Mr. Belinga-Eboutou (Cameroon), Mr. Maertens (Belgium), Vice-Chairman, took the Chair.

The meeting was called to order at 3.15 p.m.

Agenda item 110: Advancement of women (*continued*) (A/C.3/58/L.17/Rev.1)

Draft resolution A/C.3/58/L.17/Rev.1: Women and political participation

1. **Ms. Corkery** (United States), introducing the draft resolution on behalf of the sponsors, said that the resolution urged States to encourage the participation of women in all aspects of the political process by taking measures to eliminate discriminatory practices and providing women with the tools that would enable them to take part fully and equally in decision-making processes at all levels. The sponsors hoped that, following adoption of the resolution, the recommended measures would be implemented rapidly.

2. The following countries had expressed their wish to join the sponsors of the draft resolution: Andorra, Argentina, Australia, Azerbaijan, Bangladesh, Cameroon, Canada, Cape Verde, Central African Republic, Colombia, Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Japan, Jordan, Kazakhstan, Malawi, Marshall Islands, Mexico, Federated States of Micronesia, Panama, Papua New Guinea, Peru, Republic of Korea, Romania, Russian Federation, Senegal, Serbia and Montenegro, Thailand, Timor-Leste, Togo, Turkey and United Republic of Tanzania.

Agenda item 113: Promotion and protection of the rights of children (*continued*) (A/C.3/58/L.29)

Draft resolution A/C.3/58/L.29: Rights of the child

3. **Ms. Borzi Cornacchia** (Italy), introducing the draft resolution on behalf of the sponsors, said that, as in 2002, the draft resolution was intended to provide comprehensive coverage of all issues relating to the rights of the child. The new text had been restructured to streamline its contents and it emphasized the importance of the Convention on the Rights of the Child, its Optional Protocols and other relevant human rights instruments.

4. The following countries had expressed their wish to join the sponsors of the draft resolution: Belarus, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cameroon, Central African Republic, Congo, Côte d'Ivoire, Croatia, Democratic Republic of the Congo, Ghana, Iceland, Malawi, Monaco, Mozambique, South Africa, Swaziland, Tunisia, Turkey, Ukraine and Viet Nam.

Agenda item 112: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/58/12, A/58/12/Add.1 (Suppl.), A/58/281, A/58/299, A/58/353, A/58/410 and A/58/415-S/2003/952)

5. **Mr. Shimamori** (Japan) said that Japan welcomed the directions set forth in the 2004 process of the Office of the United Nations High Commissioner for Refugees (UNHCR), which highlighted the growing understanding of the interconnections between peace and security, humanitarian action and development policies. Effective partnerships within and outside the United Nations were needed to reflect those interconnections, and human security should serve as the guiding principle for the implementation of concrete projects.

6. A key concept of the report submitted to the Secretary-General by the Commission on Human Security in May 2003 related to the protection and empowerment of refugees. According to that approach refugees were important assets with considerable potential for contributing to reconstruction and development in conflict-torn countries. To make the return to peace sustainable, special importance must be attached to helping returnees reintegrate into a revitalized local community and participate in the reconstruction of their countries.

7. Japan intended to play an active role in implementing the "Convention Plus" strategies, which included efforts to protect refugees and to provide development assistance in regions experiencing refugee outflows. That approach was consistent with another important element of the report of the Commission on Human Security, namely, filling in any gap between humanitarian assistance and reconstruction.

8. The admission of UNHCR into the United Nations Development Group was a positive measure, because development was an essential component of

the overall effort to assist refugees and it was only possible when there was close cooperation between humanitarian and development agencies. Such cooperation would be necessary to implement the "4Rs" integrated approach to the process of repatriation, reintegration, rehabilitation and reconstruction in post-conflict situations, "Development Assistance for Refugees" (DAR), and the "DLI" strategy — "Development through Local Integration". Moreover, the role of UNHCR should become even clearer when considered in the context of the whole spectrum of assistance.

9. Japan's assistance to Africa focused on human-centred development, poverty reduction through economic growth and consolidation of peace, with the aim of empowering people, including refugees, building up the capacity of local communities and achieving development with an integrated approach.

10. Japan hoped that the activities of UNHCR would receive even broader and stronger support from the international community, enhancing its visibility and increasing the number of its partners. That would increase partners' sense of ownership and help to expand the agency's financial base by attracting new donors. Japanese non-governmental organizations and individuals were ready to make a greater contribution to the work of UNHCR.

11. Lastly, Japan supported the extension of the term of the Office until the refugee problem was resolved.

12. **Mr. Goettlicher** (Croatia) said that Croatia fully supported the measures proposed in the report on strengthening the capacity of the Office of the United Nations High Commission for Refugees to carry out its mandate (A/58/410) and welcomed the fact that the High Commissioner had noted the increasing number of returnees in its region in his report for 2002 (A/58/12). In that respect, his Government had tried to create sustainable conditions for the harmonious reintegration of all refugees, including internally displaced persons, into the areas where they had resided previously.

13. The Government's policy for the return process of refugees and displaced persons had several fundamental objectives: normalization of life and living conditions; establishment of democratic stability, with priority given to the return of national minorities — primarily Croatian citizens of Serbian ethnicity; elimination of discrimination and support from central governmental institutions. One of the priorities was to create conditions for sustainable refugee returns by resolving housing problems.

14. Additional activities and funds were being directed towards acceleration of economic revitalization in the areas of return, clearance of landmines, systematization of land registers and establishment of a social security system for returnees immediately after their return. Unfortunately, the large-scale reconstruction of housing units had not been accompanied by an economic upturn creating new employment opportunities; consequently, some returnees were leaving their home regions again, which indicated the need for more systematic governmental assistance.

15. The Government had therefore become directly involved in property restitution and had adopted further measures, including increased financial support and assistance for the return of refugees to Bosnia and Herzegovina. The results had been an accelerated restitution of seized property, the creation of conditions for the sustainable reintegration of returnees into local communities and the identification of lasting solutions for refugees from Bosnia and Herzegovina. In that way, considerable progress had been achieved in the return process. Nevertheless, more aid from regional organizations and the international community would be required to conclude it, enabling the Government to dedicate its efforts to development programmes in areas of return.

16. **Mr. Ryu** Jeong-hyun (Republic of Korea) said that while the total number of refugees had decreased, the overall number of people of concern to UNHCR had increased, and the changing situation called for strengthening the Office's role and capacity. The Republic of Korea therefore welcomed the outcome of the "UNHCR 2004" process and supported the actions proposed by the High Commissioner for its implementation.

17. The Republic of Korea also supported the removal of the existing time limitation on the Office as a practical step towards enabling it to function efficiently and considered that the UNHCR "Convention Plus" initiative was a timely effort for promoting comprehensive solutions to refugee problems while reinforcing international solidarity. The Convention relating to the Status of Refugees remained an essential framework for refugee rights; however, it

was insufficient for addressing the contemporary situation of refugees. The links between post-conflict management, humanitarian assistance and development policies were becoming increasingly complex, and "Convention Plus" would help UNHCR meet the new challenges.

18. Within the framework of durable solutions, the efforts of UNHCR to improve joint strategic planning were to be commended, together with efforts to implement such innovative initiatives as the "4Rs", DLI and DAR.

19. Sufficient funding was required to enable UNHCR to fulfil its mandate effectively, and Japan supported the High Commissioner's efforts to broaden its donor base and to concentrate its core activities on those areas where it could do most to reduce human suffering. The Republic of Korea had contributed significant amounts directly and indirectly to UNHCR in 2003 and it would make every effort to increase its contributions in the future.

20. Many people living outside their country of origin were not accepted formally as refugees by recipient countries. They lived under extremely vulnerable conditions and were susceptible to a wide variety of human rights violations. Hence they were of significant concern to UNHCR, whose efforts, it was hoped, would help alleviate their plight through close consultation with the countries concerned. In particular, the principle of non-refoulement should be respected, as many such people could be subject to persecution if repatriated against their will.

21. Lastly, protection of the safety and security of humanitarian workers was a paramount obligation of the international community.

22. **Mr. Mpundu** (Zambia) said that most countries had been affected by the refugee situation. In Zambia, the problem had started over 30 years before, as a result of the liberation struggles in southern Africa. The second wave of refugees had been a consequence of civil wars in neighbouring countries and the number of refugees had increased from about 100,000 in the 1980s to approximately 270,000 today.

23. His delegation welcomed the positive developments in the area of repatriation during 2002. With peace returning to many sending States, it was to be hoped that the number of returnees would increase substantially.

24. Since the repatriation of Angolan refugees had begun in July 2003, Zambia had witnessed the successful repatriation of more than 15,000 Angolan refugees; however, the process had been slowed down by the limited capacity of absorption and, in a disturbing trend, some returnees had spontaneously gone back to Zambia. That situation not only posed a security concern but also caused pressure on the country's socio-economic structure. Zambia therefore appealed to the Government of Angola for additional support to assist it in the repatriation process. With regard to the repatriation of Rwandan refugees, fewer than 100 refugees had been repatriated under the tripartite agreement signed nine months earlier.

25. The support of the international community had been invaluable. However, the prolonged hosting of a large number of refugees had not been without problems for Zambia, causing pressure on the social infrastructure. In addressing the challenges, with the assistance of UNHCR, the Government had developed an integrated approach in refugee management designed to incorporate refugees into the development agenda. Apart from assisting in the local integration of refugees, it would eventually contribute to implementing the "4Rs", serving to equip refugees who chose to be repatriated with skills enabling them to integrate more easily into their communities.

26. Zambia commended the efforts of UNHCR in partnership with other agencies and with the international community to address the refugee situation. Immediate solutions were required to address the underlying causes, and Zambia continued to be actively engaged in trying to find solutions to the refugee situation in Africa. It appealed to the international community to focus on issues of conflict prevention and conflict resolution in order to prevent the vast flows of displaced persons throughout the world.

27. **Ms. Kapalata** (United Republic of Tanzania), fully associating her delegation with the statement made by the representative of the Democratic Republic of the Congo on behalf of the Southern African Development Community (SADC), expressed appreciation for the initiative of the High Commissioner for Refugees to strengthen his Office to adapt to the changing international political environment. The increasingly complex and persistent problem of refugees had led UNHCR to improve

standards and enhance coordination of the international community's efforts.

28. The three elements of the framework for durable solutions — development assistance for refugees, repatriation, reintegration, rehabilitation and reconstruction and development through local integration — should receive broad, serious consideration, particularly by countries that hosted large numbers of refugees.

29. Voluntary repatriation remained the best, if not always most feasible, solution to the problem of refugees. Her delegation expressed concern that, contrary to the spirit of burden-sharing, third countries of resettlement tended to choose only refugees considered to be assets and often left behind the uneducated, elderly, vulnerable and sick, including HIV/AIDS victims; first countries of asylum like her own had no such option

30. Her Government continued to believe that development through local integration of large numbers of refugees might not always be sustainable for many host countries or for the refugees themselves. Tanzania had successfully practised local integration of small numbers of refugees, such as the 3,000 refugees from Somalia. Somali refugees had been allocated Tanzanian land and allowed to apply for citizenship. For the 1 million refugees from the Great Lakes region, however, development through local integration could cause unintended demographic imbalances with serious political, security and economic consequences. The international community must share the burden with countries that promoted such integration, which should be voluntary and considered case by case.

31. The report of the Secretary-General contained in document A/58/353 accurately described the lack of security in many refugee-hosting areas of her country. Given the proliferation of small arms and light weapons in those areas, her Government faced the challenge of ensuring that refugee camps remained civilian and humanitarian in nature. While her delegation appreciated the assistance from UNHCR to deal with separating genuine refugees from armed elements, increased capacity-building and mobilization of resources were needed, including the presence of well-trained staff in the field to ensure security.

32. Her delegation noted with interest the High Commissioner's efforts to broaden the donor base and diversify UNHCR's sources of funding; the World Food Programme should also have the necessary resources to provide adequate food to refugees. In that connection, she welcomed the appeal by the representative of Norway to the international community to share the unfair burden on developing countries hosting the majority of the world's refugees.

33. She expressed appreciation to UNHCR and donor countries that had contributed to the refugee protection regime and affirmed its support for the agenda for protection adopted by the Executive Committee of the High Commissioner's Programme in 2001.

34. Her Government urged the High Commissioner to seek ways of forestalling refugee flows, including through conflict prevention and resolution, and called on the international community to exercise caution while taking innovative approaches to a problem that involved issues of sovereignty and humanitarian intervention. UNHCR had an important role to play in ensuring the safe, voluntary and sustainable repatriation of refugees and return of internally displaced persons.

35. **Mr. Tripathi** (India) welcomed the initiatives taken by the High Commissioner for Refugees during the previous General Assembly session, including the 2004 process, the repatriation, reintegration, rehabilitation and reconstruction approach and "Convention Plus", to meet changing demands, and urged the High Commissioner to provide Member States with an evaluation of the results of those initiatives.

36. The little progress made in reducing the number of refugees was a matter of concern in the light of the many new refugee flows reported in Africa.

37. His Government urged UNHCR to be cautious about taking on new tasks and to focus its limited resources above all on refugees themselves. Because responsibility for internally displaced persons fell mainly to Member States, UNHCR involvement with them should be based on explicit requests by the Member States concerned. The parts of the United Nations system that handled humanitarian matters should work within their mandates and avoid duplication.

38. More attention must be given to the developing countries, which bore the brunt of hosting and protecting refugees.

39. In a spirit of solidarity, responsibility and burden-sharing, UNHCR and the international community must address the underlying factors such as poverty that caused refugee flows, including through implementation of the Millennium Development Goals.

40. Until the necessary adjustments were made to the 1951 Convention and 1967 Protocol to address massive refugee flows and mixed migration, his Government would continue to find it difficult to accede to the existing legal framework.

41. His delegation welcomed the High Commissioner's efforts to enhance the accountability and transparency of UNHCR, which must preserve its impartiality and non-political character, especially given the proposal to remove the existing time limitation on the Office. UNHCR must cooperate closely with concerned States and carefully consider the impact that its proactive role would have on the ground.

42. **Mr. Bencherif** (Algeria), welcoming the "Convention Plus" initiative, assured the Committee of his Government's full support in strengthening the Office of the High Commissioner for Refugees. He paid tribute to the late High Commissioners Prince Sadruddin Aga Khan and Sergio Vieira de Mello, who had devoted much of their lives to the cause of refugees.

43. The number of refugees under UNHCR auspices remained alarming. Two thirds of the more than 20 million refugees, many of whom had fallen victim to poverty, exclusion and despair, had been hosted by developing countries, especially in Africa.

44. While humanitarian actors should be congratulated for their assistance, the crucial participation of donor countries continued to diminish. There was a need for greater public awareness, more equitable financial assistance, strengthened coordination among international actors and action to combat the silence that prevailed in some humanitarian crises.

45. The burden on the countries of the South, which hosted the majority of refugees, remained heavy. His Government renewed its appeal for the contributions of refugee-hosting countries to be taken into account.

46. His Government, which had a tradition of welcoming refugees from Africa, Asia and Latin America since independence, expressed its solidarity with the Palestinian people, several thousand of whom were fully integrated in Algeria. His Government would also continue to provide humanitarian assistance to the Sahrawi people, with the support of UNHCR and the World Food Programme, until the people of the Western Sahara could exercise their right to self-determination.

47. Finally, preventive action and effective coordination among humanitarian actors were needed to eliminate the scourge of exile.

48. **Mr. Šahović** (Serbia and Montenegro) said that the effective protection of the alarming number of refugees remained a top priority for the international community. UNHCR, which had a major role to play, should be further strengthened.

49. His delegation noted with interest the High Commissioner's report on strengthening the capacity of the Office and the "Convention Plus" initiative to promote burden-sharing and seek durable solutions, and expressed its support for the framework for durable solutions, including repatriation, reintegration, rehabilitation and reconstruction, development assistance for refugees, and development through local integration. The results of the pilot projects launched in several countries should be used as a basis for drafting the rules of engagement for repatriation, reintegration, rehabilitation and reconstruction.

50. UNHCR should take into account the special needs of children and women refugees and adopt a policy of zero tolerance for sexual and gender-based violence.

51. With regard to assistance to internally displaced persons, too often provided on an ad hoc basis, his Government called for the establishment of clearer criteria for the involvement of international agencies, including UNHCR, and better coordination and division of work among Member States, the United Nations system and other stakeholders.

52. His delegation expressed its appreciation to UNHCR and the donor countries, which had provided invaluable assistance to help shelter some 400,000 refugees from Croatia and Bosnia and Herzegovina in Serbia and Montenegro. In 2002, his Government had adopted a national strategy to find durable solutions for refugees, including the promotion of local integration and provision of adequate housing and employment, and it hoped that the international community would

provide financial support to meet the substantial costs of those measures.

53. The legislative and administrative measures taken by Croatia to ensure the sustainable return of refugees, despite some flaws, were to be welcomed. The agreement between Serbia and Montenegro and Bosnia and Herzegovina requiring both States to create the necessary conditions to guarantee a voluntary, orderly and safe return of refugees, in accordance with international human rights standards, should accelerate the return rate.

54. Despite many international initiatives, the prospects for improvement in the unacceptably slow pace of return of the more than 260,000 internally displaced persons from Kosovo and Metohija were dim because of the violence and discrimination against the non-Albanian population in that province.

55. In conclusion, his Government would continue to cooperate with Member States, including neighbouring countries, to seek solutions for the protection of refugees in the region.

56. **Archbishop Migliore** (Observer for the Holy See) said that, following the Second World War, the Holy See had gained broad experience in dealing with refugees, displaced persons, returnees, migrants and stateless persons, whose plight it had always viewed with great concern. Therefore, the central guiding principle of any effort to address that transnational challenge must be the defence of their dignity — the equal dignity inherent in all people being the natural moral foundation of human rights and solidarity.

57. The protection of refugees also entailed meeting the special needs of women and, in particular, children, who accounted for up to 70 per cent of the refugee population and some of whom had lived their entire lives in refugee camps. Eighty per cent of children living with HIV/AIDS were found in Africa, the second largest asylum for the world's refugees. Much remained to be done to grant refugee children greater access to education, which remained grossly inadequate, to help avert military recruitment, exploitation, abuse and trafficking.

58. His delegation noted with concern the occasional bias in the media and on the part of political figures against refugees and displaced persons which sometimes made them victim to humiliation, persecution and violence.

59. Various agencies of the Catholic Church were supporting UNHCR's refugee protection activities. The Holy See welcomed the appeal put forward in the 2004 process for burden-sharing and durable solutions and efforts to strengthen cooperation between UNHCR and partners within and outside the United Nations system, including the United Nations Development Group and the Geneva Migration Group. In that connection, he welcomed the initiative of the Population Division of the Department of Economic and Social Affairs in convening the two Coordination Meetings on International Migration, held in July and October 2003. The partnerships and interdisciplinary information-sharing arising from those meetings would promote consultations between countries of origin and host countries of migrant workers and refugees and serve to allay national security concerns.

60. Acknowledging the connection between cooperative migration management, free from nationalistic and commercial interests, and development, the Holy See firmly believed that migrants could contribute to society if granted a sense of dignity and worth, and was encouraged that that vision was reflected in the High Commissioner's report.

The meeting rose at 4.35 p.m.

United Nations A/C.3/58/SR.33

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Third Committee

Summary record of the 33rd meeting
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Chairman: Mr. Priputen (Vice-Chairperson) ..... (Slovakia)

Contents

Agenda item 115 : Elimination of racism and racial discrimination *(continued)*

(a) Elimination of racism and racial discrimination *(continued)*

Agenda item 112 : Report of the United Nations High Commissioner for Refugees : Questions relating to refugees, returnees and displaced persons and humanitarian questions

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03-59738 (E)

In the absence of Mr. Belinga-Eboutou (Cameroon), Mr. Priputen (Slovakia), Vice-Chairperson, took the Chair.

The meeting was called to order at 10.20 a.m.

Agenda item 115: Elimination of racism and racial discrimination *(continued)*

(a) Elimination of racism and racial discrimination *(continued)* (A/C.3/58/L.33)

Draft resolution A/C.3/58/L.33: Incompatibility between democracy and racism

1. **Mr. Meyer** (Brazil), introducing draft resolution A/C.3/58/L.33 on behalf of its 11 co-sponsors, thanked the delegations which had contributed towards the preparation of the draft and said that the proposed text, whose subject was crucial to the preservation of democracy, was based on resolutions of the Commission on Human Rights approved by consensus at Geneva in the past four years. The object of the draft was, in particular, to increase awareness of the fact that electoral processes could be used to undermine democracy, as was the case with certain racist platforms proposed by political parties.

2. **The Chairman** announced that Ecuador had become a sponsor of the draft resolution.

Agenda item 112: Report of the United Nations High Commissioner for Refugees: Questions relating to refugees, returnees and displaced persons and humanitarian questions (A/58/12, A/58/12/Add.1 (Suppl.), A/58/21, A/58/299, A/58/353, A/58/410 and A/58/415-S/2003/952)

3. **Mr. Taranda** (Belarus) said that the question of refugees remained urgent. Poverty, economic imbalances between countries and regions, armed conflicts, political instability and ecological disasters were at the root of migration movements everywhere in the world.

4. His country was confronted with an increase in clandestine immigration, a complex phenomenon that threatened international peace and security and was linked to other problems such as trafficking in human beings, arms trafficking, drug addiction, prostitution, crime and the spread of diseases such as HIV/AIDS.

5. Each year, Belarus, as a country of transit, arrested thousands of clandestine immigrants trying to reach Western Europe and dismantled clandestine immigration networks. While adopting all necessary measures to combat that type of immigration, it lacked the financial means to carry them out to full effect. He therefore called upon the international community to continue collaborating with his country, providing it with financial and technical assistance, and exchanging relevant information. Belarus welcomed the measures proposed in the report of the High Commissioner (A/58/410), aimed at strengthening collaboration, in particular at the financial level, between countries of origin, host countries and countries of transit.

6. Over the past 10 years Belarus had received more than 15 000 immigrants from the former Soviet Republics, Eastern Europe, Asia and Africa. The Government, which regarded the social integration of refugees and the protection of their rights as a priority issue, was endeavouring to adapt its laws to the provisions of the 1951 Refugee Convention and the 1967 Protocol; it had adopted a number of laws to ensure that refugees, like the people of Belarus, had access to education and the health system and received medical, psychological and legal assistance. It had also set up a Migrations Department under the Ministry of Labour and Social Protection to deal with refugee questions. The Department collaborated, inter alia, with IOM, ILO and UNHCR, whose work had enabled Belarus to implement several projects relating to refugees.

7. His delegation was in favour of strengthening the capacity of UNHCR to carry out its mandate. In that connection, it welcomed the adoption of the "UNHCR 2004" process and of "Convention Plus", as well as the High Commissioner's decision to improve relations with the United Nations system, Governments and other partners with a view to finding durable solutions to refugee and migration problems.

8. **Mr. Meyer** (Brazil), paying tribute to Sergio Vieira de Mello and other United Nations personnel killed in the recent attack on the United Nations building in Baghdad, said that humanitarian workers were increasingly targeted and their safety must be treated as a matter of high priority.

9. Refugee law, along with human rights and humanitarian law, was a pillar of the international

regime for the protection of individuals. Brazil attached great importance to the 1951 Refugee Convention and its 1967 Protocol and called upon the countries that had not yet acceded to those instruments to do so. The refugee situation was constantly changing; accordingly, States must redouble their efforts to take steps for the protection of refugees, asylum seekers and other persons of concern from sexual exploitation and abuse. The international community must honour its commitments as regards the protection of refugees, returnees and displaced persons and must seek a durable solution to their problems by providing them with means for the effective exercise of their fundamental rights.

10. His delegation recognized the need to strengthen coordination between UNHCR, which played an essential role in ensuring the integration of refugees in the countries hosting them, and other United Nations agencies concerned with humanitarian matters. It called upon Member States to provide additional financial resources for the integration of refugees in developing countries, resettlement in a third country being sometimes the only durable solution for refugees whose safety could not be guaranteed either in the country of origin or in the first country of asylum.

11. His delegation deplored the negative impact of people trafficking and smuggling, as well as of recurring waves of economic migrants, on the public's perception of the refugee problem. The principle of non-refoulement – which, unfortunately, was not always respected – must be applied. It was very important that developed countries, especially those adopting more restrictive immigration and anti-terrorist measures, should continue to keep their borders open to refugees.

12. The example of Brazil, which was receiving increased numbers of refugees, showed that partnership between the Government and civil society was decisive in meeting the basic needs of refugees and facilitating their access to the job market and to social security and health services.

13. **Ms. Mohamed** (Kenya) reiterated her country's commitment to the international and regional conventions governing the protection of refugees and recalled Kenya's long tradition of providing asylum and protection to refugees. It had to be recognized, however, that in view of its limited resources and the large numbers of refugees it was hosting, her country could not cope with the situation without increased assistance from the international community, which should demonstrate greater solidarity not only by providing more ample financial and resource support but also by seeking to create a global system truly centred upon refugee protection and by engaging in a more comprehensive dialogue with the aim of dealing with contemporary realities. The need to strengthen institutional and management structures for refugees in Africa could not be over-emphasized. UNHCR's efforts and resources in that respect had not been as substantial as its contributions towards the development of refugee legislation.

14. Refugee protection in Africa was affected by three factors: the huge numbers of refugees, insecurity caused by criminality among some refugees (possession of weapons, drugs trafficking), and the response of the national population, which sometimes led to clashes because people believed refugees to be better treated than themselves. The international community's support to countries of asylum should be expanded to include capacity building for effective border management to deter cross-border movement of weapons, illegal migration, criminals and other security-threatening realities. Continued efforts to enhance public awareness of the plight of refugees and the need to assist them were also called for. Partnerships with civil society were more likely to prove effective in that respect than Governments or UNHCR. Her delegation was pleased to note the growth of civil society groups advocating refugee rights and protection.

15. Kenya believed that voluntary repatriation was the most viable and durable solution to the refugee problem in Africa, and with that end in view was making every effort towards a peaceful resolution of the conflicts in Somalia and Sudan. It was delighted that the current peace talks relating to those conflicts were about to bear fruit and wished to thank the international community for its support of the peace process.

16. **Mr. Giorgio** (Eritrea) stressed the difficulties experienced by refugees returning to their place of origin after many years of absence. Successful reintegration in society could only be achieved if such people were provided with basic means of subsistence. The multi-faceted nature of refugee problems called for sustained and coordinated responses. The consensus among Member States and UNHCR on the need for

durable solutions was therefore encouraging, and the High Commissioner's efforts to ensure the sustainability of voluntary repatriation and reintegration programmes were extremely welcome.

17. His Government had developed an integrated recovery programme to address the problems of returnees, displaced persons and expellees with a view to bridging the gap between the emergency and development needs of the affected persons and the host communities. The continued generous support of the international community would be needed in that connection. Furthermore, the voluntary repatriation programme of Eritrean refugees from Sudan had resumed and it was hoped that it would allow for the return of some 25 000 persons by the end of the year. Large numbers of refugees had registered for voluntary repatriation from Sudan and it was hoped that their return would take place in a safe, orderly and dignified manner thanks to cooperation between Eritrea, Sudan and UNHCR, as provided in the tripartite agreement between them. His delegation wished to reiterate its readiness to implement the "ceased circumstances" provision of the cessation clause, declared applicable by UNHCR, with respect to Eritrean refugees.

18. The issue of internally displaced persons was also high on the list of his Government's concerns. While most of the persons affected by the border war of 2000 had been able to resettle within a relatively short time, some 65 000 still remained, most of them housed in makeshift camps. The indefinite postponement of the demarcation of the border between Eritrea and Ethiopia had once again dashed those people's hope of return. Eritrea could not but be greatly concerned by that latest setback arising from Ethiopia's rejection of the Boundary Commission's decision.

19. **Mr. Mekprayoonthong** (Thailand) said that his country had actively participated in the "UNHCR 2004" process and had followed the High Commissioner's reform initiatives with keen interest. Enhanced interconnection of UNHCR within the United Nations system, especially in the areas of peace, security and development, would certainly be of benefit. Other initiatives, such as the convening of regular ministerial meetings with the participation of States other than the parties to 1951 Refugee Convention and its 1967 Protocol, were also highly important. The strengthened partnership between UNCHR and IOM was an effective response to the crime of people trafficking and would, in combination with the political commitments generated by the Bali process, provide a solid base for addressing the migration-asylum nexus. UNHCR's participation in worldwide efforts to address the HIV/AIDS problem was also to be welcomed.

20. The greatest constraint on the effective implementation of UNHCR's mandate was under-funding, which if allowed to continue could jeopardize its work. His delegation called on donors to support UNHCR and host countries in a spirit of international burden-sharing. It welcomed the "Convention Plus" initiative and hoped that it would be of assistance to developing countries.

21. Thailand, which was still hosting large numbers of displaced persons without prospect of durable solution in the near future, required continued support, including that of UNHCR. It regarded the "4 Rs" and the emphasis placed on development as highly important in ensuring sustainable returns and preventing the recurrence of refugee outflows.

22. Certain refugees, abusing the humanitarian approach of the host country and the special status given them by UNHCR, had engaged in political and propaganda activities. His Government counted on UNHCR to ensure that persons receiving assistance were fully aware of their obligations to the host country and that those obligations were fulfilled.

23. Environmental degradation in and around refugee shelter areas was a matter of particular concern to his Government, which hoped that UNHCR would conduct an environmental impact assessment with a view to remedying existing and preventing future damage. In the meantime, Thailand hoped for continued assistance from the international community in rehabilitating the shelter areas.

24. **Mr. Sinaga** (Indonesia) expressed great appreciation of the cooperation between UNHCR and his Government, which had facilitated the repatriation of over 250 000 refugees from East Nusa Tenggara (West Timor) to Timor-Leste. Further efforts were under way to resettle those who had chosen to remain in Indonesia. The prompt settlement of a significant part of the refugee issue within a space of about three years had allowed humanitarian relief efforts to be wound down and reintegration efforts to be stepped up. Indonesia and the new nation of Timor-Leste had thus been able to avoid the potentially destabilizing political

and social problems that had often accompanied long-standing refugee situations in other parts of the world.

25. Although the crisis phase was now over, assistance from UNHCR and the international community was still needed in East Nusa Tenggara province for the integration of refugees into society and for the transition to development.

26. Since 2000, UNSECOORD's placing of East Nusa Tenggara in security category P-5 had prevented United Nations bodies and agencies, including UNHCR, from operating in that region. The situation in the province having returned to normal more than two years ago, Indonesia regretted the continuing application of that measure and urged the Secretary-General to review the situation, so that the people of East Nusa Tenggara might receive the assistance they so sorely needed.

27. His Government reaffirmed its support for UNHCR's mandate of providing protection and assistance to refugees and finding durable solutions to their problems. It also endorsed the High Commissioner's important initiatives, including the "4 Rs" approach and cooperative arrangements with other relevant international bodies.

28. It should be recalled, however, that UNHCR was a purely humanitarian and non-political agency and that, as stated in General Assembly resolution 46/182, "humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality". Moreover, humanitarian assistance should be delivered with the consent of the affected country and in full respect of the sovereignty, territorial integrity and national unity of States. The affected State should play the primary role in coordinating humanitarian relief efforts, while the role of UNHCR consisted in providing support at that State's request.

29. The success story of the resolution of the refugee problem in East Nusa Tenggara was an example of effective cooperation between a host country and international agencies, especially UNHCR. His Government therefore viewed the financial difficulties of UNHCR with great concern and hoped that an effective and durable solution would be found to that situation, without, however, causing resources to be diverted from other goals, such as sustainable development.

30. **Mr. Leal Cordeiro** (Angola) said that his delegation associated itself with the statement made by the representative of the Democratic Republic of the Congo on behalf of the Southern African Development Community (SADC).

31. His delegation shared the High Commissioner's view that the time limitation on the UNHCR mandate was anachronistic and no longer reflected today's realities. It therefore fully supported the removal of that limitation, not only because Angola benefited from the work of UNHCR but also because it recognized that the problem of refugees was not about to disappear.

32. It applauded the intensified efforts being undertaken by UNHCR through programmes such as "4Rs", DAR and DLI and welcomed the High Commissioner's initiative aimed at improving cooperation with other humanitarian agencies. Such programmes and initiatives could not fail to contribute towards improving the lot of refugees the world over.

33. Owing to the large number of returnees, Angola was in need of human resources as well as of technical and financial assistance. The recently ended civil conflict had produced 4 million displaced persons and 400 000 refugees living in neighbouring countries. So far, more than 150 000 refugees had returned and the repatriation of 170 000 others from Namibia, the Democratic Republic of the Congo and Zambia was in progress. Recent evaluations showed that the humanitarian situation was stabilizing, but some emergency needs still persisted in various parts of the country.

34. Resettlement and reintegration of internally displaced persons, return of refugees and reduction of dependency on humanitarian assistance remained the key priorities of his Government's poverty eradication programme. Some USD 138 million had already been allocated to resettlement and to the distribution of domestic and agricultural utensils and foodstuffs. At the third ordinary session of the World Food Programme's Governing Board, Angola had also subscribed USD 7.5 million to the new food aid programme designed to provide food for the nearly ¼ million internally displaced persons and 170 000 refugees expected to return home in 2004.

35. The needs for rehabilitation and resettlement were still enormous and national resources alone could not suffice to deal with the challenges facing a country

still recovering from decades of civil war. Yet despite the Government's efforts, in particular in the fields of health and education where budget allocations had steadily increased since the end of the war, the international community was still slow to respond to Angola's humanitarian and development needs.

36. His delegation therefore called upon the international community to increase not only its financial and logistical support of ongoing programmes in Angola but also its contribution to the annual budget of UNHCR, thus enhancing the capacity of UNHCR to tackle refugee crises around the world.

37. **Mrs. Mariam** (Ethiopia), after paying tribute to the humanitarian personnel who had lost their lives while trying to save the lives of others, said that while some encouraging results had been achieved in efforts to address refugee problems in Africa, the overall situation continued to give grounds for grave concern. As a result of armed conflicts as well as of humanitarian and socio-economic problems, Africa was today home to 32% of the world's refugee population, a situation that was overburdening the continent's already weak economy, environment and infrastructures and undermining such progress as had been made.

38. African countries, which were primarily responsible for assistance and protection of refugees, lacked the necessary resources and needed support, which should be provided in a manner compatible with the avoidance of double standards. Her Government welcomed UNHCR's efforts to work with regional bodies and NEPAD and commended the steps taken to facilitate linkages between humanitarian and development issues in the light of the Millennium Development Goals and of the HIV/AIDS problem.

39. As a result of conflicts and natural disasters in the Horn of Africa, her country was now host to 130 000 refugees as well as having more than 200 000 internally displaced persons, a situation that took a heavy toll of the country's meagre resources. In its search for durable solutions, her Government was successfully promoting voluntary repatriation to relatively safe places of origin. The support of UNHCR and the international community was needed in that connection.

40. Her delegation shared the High Commissioner's views on strengthening his Office in order to improve its capacity to respond to new challenges, and welcomed the adoption of the Agenda for Protection aimed at reinforcing the international protection regime. It also supported the initiative based on the "4 Rs" approach, believing that it could produce durable solutions, especially in protracted refugee situations.

41. If UNHCR was to continue being relevant to the current world situation and to live up to its lofty goals, in particular in the service of African refugees, its funding situation had to be improved and sustained on a regular basis.

42. **Mr. Prica** (Bosnia and Herzegovina) expressed his country's gratitude for the assistance provided by UNHCR and drew attention to the leading role assigned to UNHCR in Annex VII of the Dayton/Paris Peace Agreement dealing, in particular, with questions of return of refugees and internally displaced persons.

43. Of the 2.2 million refugees and IDPs generated by the conflict in Bosnia and Herzegovina, 960 000 returns had already been registered. Since many returnees were as yet unable to return to their pre-war homes, their status had had to be changed from refugees to IDPs. Despite all efforts on the part of his Government, UNHCR and the international community, that was still true of more than half of the total number of persons affected.

44. However, the authorities had succeeded in removing almost all political obstacles to the return process and in improving security conditions, thus facilitating some 420 000 so-called "minority returns" to all parts of the country. Efficient and unconditional application of property laws had been the main generator of the return process. So far, 84% of the decisions of the Commission for Real Property Claims had been implemented and some 190 000 properties returned to their owners. The process was, however, slowed down by the presence in Bosnia and Herzegovina of refugees from Serbia and Montenegro and of Serbs from Croatia. A regional approach based on cooperation among all the countries concerned was therefore essential for the successful implementation of Annex VII of the Dayton/Paris Peace Agreement.

45. Implementation of Annex VII continued to be one of the priorities of the authorities in his country. Most political obstacles having been removed, it was now essential to eliminate other impediments such as the shortage of funds for the reconstruction of destroyed housing and job creation. The Ministry for Human Rights and Refugees had set up a joint return fund at

State level operated on a parity basis between donors and the Council of Ministers of Bosnia and Herzegovina. The State Commission managed the fund for refugees and internally displaced persons, ensuring transparency and efficient coordination among the international donors and organizations concerned. Those activities, aimed both at promoting return and at strengthening national capacities, would eventually enable the State institutions to take over the responsibilities at present assumed by UNHCR and the international community. His delegation therefore reiterated its appeal for continued generous support of the return process.

46. Reinforcement of the rule of law, economic growth and the protection of the human rights and fundamental freedoms of all citizens of Bosnia and Herzegovina, particularly vulnerable groups such as refugees and IDPs, were the essential precondition for the effective implementation of Annex VII of the Peace Agreement. Thanks to regional and international cooperation and the international community's assistance, his country would meet its commitments under the Peace Agreement in that regard.

47. In conclusion, his delegation hoped that the lessons drawn by UNHCR and the international community from the tragic experiences in Bosnia and Herzegovina would lead to more effective management of future crises and would help to find appropriate methods and means of crisis prevention.

48. **Mr. Khokhar** (Pakistan) said that despite some encouraging developments, the total number of uprooted people had risen in the past year. Major transformations in international politics, globalization and the revolution in information technology necessitated a reform of UNHCR's management and governance. Stronger efforts had to be made to provide more generous resources for emergency preparedness. Enhanced cooperation with development actors would facilitate repatriation and rehabilitation. In that context, his delegation welcomed UNHCR's joining the United Nations Development Group and favoured an incremental increase of UNHCR's share of the United Nations regular budget in line with its status.

49. The recommendations contained in the report on strengthening the capacity of the Office of the United Nations High Commissioner for Refugees to carry out its mandate (A/58/410) were well-considered and, for the most part, acceptable, although some of them called for further reflection.

50. While taking note of the DAR initiative and endorsing the "4 Rs" concept outlined in the report contained in document A/58/12, his delegation had strong reservations regarding the idea of Development through Local Integration (DLI). DLI was not an option in protracted situations involving large numbers of refugees who had the potential to upset a country's socio-economic and ethnic balance. In such cases, voluntary repatriation to the country of origin was the only viable and durable solution. On the other hand, DLI was a possible choice for developing countries with large economies and growing manpower needs.

51. While appreciating the efforts of UNHCR in addressing the refugee situation, his delegation felt that the magnitude of the problem went beyond that institution's capacities and mandate. The international community must grapple with the underlying causes of conflicts and pay more attention to conflict prevention and peace building. Greater international solidarity and respect for collective United Nations decisions were also called for.

52. In according hospitality to three million Afghan refugees – the largest exodus of refugees caused by a conflict situation since the Second World War – Pakistan had, besides direct financial costs, suffered a devastating adverse impact on its demography, social structure, economy, employment, environment and natural resources.

53. Since the establishment of the Transitional Government in Afghanistan, more than 1.5 million refugees had voluntarily repatriated, leaving another 2 million still in Pakistan. In March 2003, Pakistan, Afghanistan and UNHCR had signed a tripartite agreement based on the voluntary repatriation principle. However, improved security, employment opportunities and food security were essential in persuading Afghan refugees to return home. Besides committing 100 million dollars towards reconstruction assistance, Pakistan had also undertaken to provide 5 million books for Afghan schools. It was to be hoped that the pledges made at the Tokyo reconstruction conference would be delivered on schedule. Peace, stability and economic rehabilitation in Afghanistan were the collective responsibility of the international community, which must not falter in its sustained engagement in that country. His delegation also urged

the international community to continue its support of UNHCR, thus enabling it to carry out its mandated activities.

54. **Mr. Hyassat** (Jordan) welcomed the increasing number of return movements noted in document A/58/12. Despite the benefits offered by Development Assistance for Refugees (DAR), repatriation remained the preferred solution to the refugee problem.

55. His delegation hoped that growing cooperation between UNHCR and other agencies dealing with refugees would encourage States to set up regional and international mechanisms designed to facilitate more effective and speedy solutions, in particular early warning systems and information sharing, leading to better emergency preparedness and equitable distribution of burdens and responsibilities.

56. His delegation had taken note with great interest of the High Commissioner's report on strengthening the capacity of UNHCR to carry out its mandate (A/58/410) and welcomed the proposal to remove the time limitation on that mandate.

57. **Ms. Kusorgbor** (Ghana) said that, in the light of the magnitude of problems caused by massive outflows of refugees and displaced persons, her delegation fully supported the initiatives aimed at strengthening UNHCR and modifying its strategies so as to meet the new challenges not foreseen in the 1951 Convention or the 1967 Protocol. Her delegation endorsed the "Convention Plus" initiative resulting from the "UNHCR 2004" process and the Global Consultations on International Protection, and welcomed the development of a framework for the implementation of durable solutions and its focus on post-conflict and protracted refugee situations. While voluntary repatriation continued to be her Government's foremost option, resettlement and local integration could also be considered in cases where they were feasible and fully supported by the host country. Her delegation welcomed the "4 Rs" programme, essential in preventing the recurrence of conflicts, and the promotion of Development Assistance for Refugees (DAR) and Development through Local Integration (DLI).

58. However, the critical financial situation of UNHCR cast doubt on the feasibility of those strategies. As would be seen from paragraph 63 of the High Commissioner's report (A/58/12), almost halfway through 2002 UNHCR had available only half the financial resources needed for its activities in 2003. Her delegation therefore supported the High Commissioner's call for a gradual increase in UNHCR's share of the United Nations regular budget and hoped that his efforts to explore new avenues and identify new non-governmental funding sources would yield positive results.

59. In order to take full account of security, human rights and development concerns, closer partnership between UNHCR and the Departments of Political Affairs and Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs and the United Nations Development Group was of the essence.

60. Her delegation, concerned about the erosion of the internationally accepted principles of asylum and non-refoulement, called on all States to abide by their commitments in that field. It was also concerned about the kidnapping and killing of humanitarian workers, and hoped for progress in the ongoing discussions on the elaboration of an ancillary legal instrument to enhance the 1994 United Nations Convention on the Safety and Security of United Nations and Associated Personnel.

61. It welcomed the adoption of an age and gender sensitive approach by UNHCR, supported the mechanisms being put in place to prevent the recurrence of incidents of exploitation of refugees like those reported in West Africa, Nepal and elsewhere in 2002, and called on UNHCR to ensure strict adherence to the United Nations Code of Conduct by its staff and partners.

62. **Mr. Guterres** (Timor-Leste) said that the positive results reported by the High Commissioner in document A/58/12 clearly demonstrated the importance of development assistance for refugees and the need to apply that innovative approach at both the multilateral and the bilateral level. His delegation also awaited with interest the results of the "Convention Plus" initiative.

63. The refugee problem being of direct interest to his country, Parliament was treating the ratification of the 1951 Refugee Convention and its 1967 Protocol, as well as accession to the Geneva Conventions of 1949, as a priority issue.

64. Thanks to the combined efforts of UNHCR, various agencies and the Indonesian Government, nearly 90% of Timor-Leste's 230 000 refugees had now

returned. The next challenge facing his country was to ensure their full reintegration and resettlement.

65. His country was determined to pursue its cooperation with UNHCR and the Indonesian Government in seeking solutions to the serious problem of children unaccompanied by or separated from their families.

66. At the second meeting of the Joint Ministerial Commission held in Dili in September 2003, the two Governments had agreed to encourage the resettlement of refugees currently in West Timor in places proposed by the Indonesian Government and the return to Timor-Leste of those wishing to avail themselves of that solution. The process of national reconciliation would probably not be completed until all measures aimed at applying the DLI approach were taken under the control of UNHCR and IOM. With the help of UNHCR, United Nations agencies and the international community as a whole, Timor-Leste hoped to be able to apply the DAR approach, which was vital to ensuring national reconciliation and providing a firm basis for democracy.

67. His country also had to enact national asylum legislation and set up institutions to deal with asylum seekers in conformity with internationally accepted standards. It looked forward to continuing to benefit from the technical assistance and experience provided thus far by UNHCR and the human rights unit of the United Nations Mission of Support to East Timor.

68. Noting with deep concern the increasing security risks faced by humanitarian personnel on the ground, he remarked that, while the Convention on the Safety and Security of United Nations and Associated Personnel constituted the international legal framework for the prevention and punishment of criminal attacks against field staff, the need to expand the scope of legal protection offered by that Convention was today generally recognized. Draft resolution A/C.6/58/L.22 adopted by consensus in the Sixth Committee on 4 October was therefore to be welcomed.

69. **Mr. Dhakal** (Nepal), after expressing appreciation of the innovative ideas launched under the rubrics of "UNHCR 2004", "Global Consultations" and "Convention Plus" and paying tribute to the work being done by the High Commissioner, recalled that a large proportion of the 20 million refugees now in the world were victims of protracted situations in the Middle East, sub-Saharan Africa, Asia and elsewhere. Bhutanese refugees in Nepal constituted one of those situations. To resolve such problems should be an urgent priority for the international community. Taking good care of refugees was not enough to make life bearable for people deprived of property, employment and hope, whose children were suffering the traumatic experience of growing up without an identity. Many refugees had suffered persecution, forced evictions, armed conflicts, natural calamities, ethnic cleansing and gross violations of human rights and fundamental freedoms. In order to find lasting solutions to those problems, UNHCR must seek to determine their root causes.

70. The report in document A/58/410 contained a number of valuable suggestions that deserved careful consideration by the General Assembly. Thus, his delegation supported the removal of the time limitation on UNHCR's mandate and the "4 Rs" approach, as well as closer partnerships between UNHCR and other institutions, in particular the World Bank, UNDP, UNICEF and WFP.

71. On the other hand, the proposal on Development through Local Integration (DLI) needed to be carefully examined. While refugees could indeed be agents of development, local integration had serious political, social and economic implications for the society concerned and should be considered on case-by-case basis. While it could be an acceptable solution where the local population was not large enough to sustain and expand the country's economic activities and where the host country had the political capacity to absorb refugees, it was a recipe for disaster in the vast majority of poor nations with pervasive poverty problems and very high population density. Moreover, such a solution was likely to encourage human rights violators who deliberately uprooted people in order to pursue their criminal activities, which often remained unpunished.

72. Similarly, Development Assistance to Refugees (DAL), supposed to promote the developing countries' development agenda and to facilitate self-reliance, was in fact an explosive idea with disastrous long-term economic, social and environmental consequences for nations that were already poor. His delegation therefore urged the High Commissioner to give those issues more thought. Concerned by the funding constraints and declining resources for humanitarian assistance worldwide, Nepal agreed that there was a need to increase the volume of contributions and to expand the

donor base, noting that some 80 % of UNHCR's funds came from only 8 donors.

73. In document A/58/12, the High Commissioner mentioned the 100 000 Bhutanese refugees living for more than 10 years in camps in Nepal. His country, itself one of the world's least developed, was providing asylum to those refugees for purely humanitarian reasons although it was not the first country of asylum and its capacity was insufficient for the purpose. It had always been eager to find a durable solution to the problem in good faith and through bilateral negotiations. At the 15th joint ministerial meeting held in Bhutan the two countries had agreed to ensure early voluntary repatriation of refugees in the Khudunabari camp and to embark on joint verification in another camp. It was now for Bhutan to create a favourable environment for the refugees' return in safety and dignity, thus contributing towards peace, stability and development in the region.

74. **Mr. Schurti** (Liechtenstein) recalled that the majority of host countries, receiving some two-thirds of the world's refugees, were developing countries, while 12 countries accounted for 90 per cent of UNHCR's annual budget. Since no end to the refugee problem was yet in sight, it was unlikely that the international community would be able to correct those fundamental imbalances. It would therefore be well advised to follow the essentially pragmatic path advocated by UNHCR.

75. With regard to the functioning of UNHCR, his delegation welcomed the proposed reform measures, in particular the removal of the time limitation on the UNHCR mandate with a view to more long-term and strategic planning and to the development of long-term protection policies; efforts to broaden and diversify the donor base, as well as the new approaches towards increasing the predictability of funding and diversification of funding sources, including through the private sector; additional increases in funding from the United Nations regular budget; and the proposal to streamline the reporting requirements.

76. With regard to durable solutions, Liechtenstein applauded the High Commissioner's proposed Framework based on the "4 Rs", DAR and DLI initiatives, the last of which had attracted its particular attention. His country had had a generally positive experience with a programme that sought to find employment for refugees and asylum seekers virtually from the day of arrival. The policy not only reduced the cost of hosting the refugees but also greatly enhanced the possibilities of repatriation by facilitating self-reliance, helping refugees to learn a new trade and thus enabling them to start a new life in the country of origin. In conclusion, he expressed deep concern at the increasing danger that humanitarian personnel were facing in the field. Security needed to be strengthened and the safety of all personnel safeguarded more vigorously. His delegation hoped that the improved practical and operational measures taken by the Secretariat would go hand in hand with a strengthening of the current legal regime as a result of action taken by the competent intergovernmental bodies.

77. **Mr. Vaher** (United Nations Children's Fund) said that UNICEF and UNHCR had worked together very closely for many years at both country and global levels. By way of example, he cited the Memorandum of Understanding, the recently completed Guidelines on Unaccompanied and Separated Children, and the efforts conducted jointly with UNHCR and national authorities in Eritrea to provide safe water for some 33 000 returnees from Sudan. The past year had also seen a positive development in UNICEF's approach to the problem of displaced children. Instead of children being classified in sub-categories such as "refugee children", "IDP" children", etc., displacement was henceforth to be addressed in terms of its impact on all children.

78. Focusing on three points of special relevance to children affected by displacement – the importance of adopting a rights-based approach to humanitarian action, the role of education, and the need for birth registration - he said, with respect to the first, that UNICEF had already adopted such an approach, taking into account all aspects of children's well-being. Protection had to go hand in hand with assistance. As an example, he referred to the child-friendly spaces established in Albania, Angola, Guinea and Liberia, where displaced children and their care-givers were provided with essential assistance in a safe setting.

79. Turning to the second point, he said that education not only restored stability and security to the lives of children uprooted and traumatised by armed conflicts but also helped to re-establish a normal routine in communities threatened by violence and war. It was also a means of telling war-affected children about health and safety, landmines, HIV/AIDS, gender equality, human rights and life skills. For all those

reasons, it was essential to restore education as soon as possible during emergencies to prevent the collapse of social norms and services. In Cote d'Ivoire, UNICEF was supporting the second school year organized for displaced children in the southern part of the country, in particular by providing school supplies and recreational kits for some 30 000 children. In Congo, UNICEF and its partners had provided education kits to 10 000 displaced children so as to enable them to return to primary and secondary schools close to their temporary settlements.

80. One of the obstacles to displaced children's access to education and other social services was lack of identity papers and, in particular, of a recognized birth certificate. Although the Convention on the Rights of the Child called for registration of all children immediately after birth, it was estimated that one-third of all births went unregistered. Yet a birth certificate offered many advantages in crisis situations, including legal protection, access to various services, and protection from harmful child labour, trafficking and recruitment in armed forces and groups. It also protected a separated child from losing its identity and being given a new name, which made efforts at family tracing and reunification much more difficult. National authorities were responsible for creating legal and administrative frameworks for the prompt registration of children, including those born in refugee camps, as well as for replacing children's documents destroyed or misplaced during transit. Afghanistan was an outstanding example of what a committed Government could achieve in that area. The Transitional Government had succeeded in registering the births of 775 000 children under the age of one as part of a drive to register all children in that age group by the end of 2003. The campaign coincided with Afghanistan's National Polio Immunization Days held throughout the year. Since May 2003, vaccination teams had registered 97% of all children in the target age group.

81. In conclusion, he stressed the need for long-term solutions beyond the scope of efforts by UNHCR, UNICEF and their partners to assist and protect displaced children on a daily basis. Governments alone had the power and authority to create a world truly fit for children.

82. **Mr. Nsemi** (Congo), noting that the situation of millions of refugees and displaced persons still remained unresolved, welcomed the efforts of UNHCR to find durable solutions, in particular through the "4 Rs" approach, which accentuated the transition from humanitarian to development assistance in post-conflict situations such as that existing in his own country, and the Development through Local Integration initiative. His delegation also welcomed the "Convention Plus" initiative aimed at strengthening the international protection regime and supported the recommendation for the removal of the time limitation on the UNHCR mandate.

83. The estimated number of refugees and displaced persons in the Central African sub-region in early 2003 was 1 300 000, the number of refugees in Congo, especially from the Democratic Republic of the Congo but also from Rwanda, Burundi and the Central African Republic, being 119 000 on the same date. In compliance with its obligations under the international instruments to which it was a party, Congo had risen to the challenge despite the socio-economic difficulties it involved and was helping those refugees through its national committee for assistance to refugees and in cooperation with various humanitarian agencies and UNHCR, with which it had in February 2003 signed a partnership agreement under which the High Commissioner was to help the Congo in its protection and assistance efforts. It had also concluded two tripartite agreements, one with UNHCR and Gabon that had facilitated the repatriation of a little under 2 000 refugees and the other, in June 2003, with UNHCR and Rwanda with a view to the voluntary repatriation of Rwandan refugees who had been in Congo since 1997. His delegation wished to thank all its partners and especially UNHCR, which was continuing to seek a solution to the situation of displaced persons in his country.

84. His Government supported all initiatives aimed at promoting peace and reconciliation in the Central African sub-region, as witness the personal participation of the Head of State in various national reconciliation processes. It welcomed the creation of a Government of national unity in the Democratic Republic of the Congo, the agreements recently concluded in Burundi and the successful completion of the national reconciliation process in the Central African Republic in the hope that those advances would contribute towards finding a durable solution to the problem of refugees and displaced persons.

85. **Mr. Husain** (Observer, Organization of the Islamic Conference) said that the reports in documents A/58/353 and A/58/12 were of particular interest to his

organization, many of whose members came from the African continent. OIC shared the Secretary General's conclusion contained in paragraph 67 of his report (A/58/353) and was concerned to read in paragraph 1 of the report that three of the seven African countries from which the largest African refugee flows had originated were the OIC member States Sudan, Somalia and Sierra Leone. Moreover, as stated in paragraphs 3-34, numerous conflicts had resulted in refugee flows involving 15 African States, seven of which were OIC members. Such situations required a multi-dimensional approach, and OIC stood ready to play a supportive and, where necessary, a proactive role in fostering conflict resolution and the establishment of durable peace in Africa and elsewhere.

86. The thirtieth session of the Islamic Conference of Foreign Ministers held in Tehran in May 2003 had adopted a number of measures (resolution No. 16/30-P on the problem of refugees in the Islamic world) which corresponded to the six goals identified by UNHCR in the Agenda for Protection detailed by the High Commissioner in paragraph 13 of document A/58/12. In particular, it had reiterated the need for full cooperation by OIC member States in assisting the refugees in their plight and had called upon member States to prevent conflicts likely to trigger a refugee exodus. It had invited member States to fulfil their responsibilities in respect not only of refugees but also of returnees and displaced persons, coordinating their actions at international level with a view to preventing the main causes behind such exoduses and to strive, in cooperation with UNHCR, to enable refugees to return to their homes as soon as the situation permitted. The latest annual coordination meeting of Foreign Ministers of OIC Member States, held in New York in September 2003, had appealed to member States to secure financial resources through the Islamic Development Bank and the Islamic Solidarity Fund for the purpose of meeting the needs of refugees.

87. In conclusion, he drew attention to the plight of the Palestinian people and of the Muslim population of Jammu and Kashmir, victims of vicious conflicts that had for many years forced hundreds of thousands of persons to seek temporary refuge. They looked to the international community to come to their rescue. He reiterated the repeatedly declared readiness of OIC to support United Nations efforts in that direction.

The meeting rose at 12.30 p.m.